DEPARTMENT OF HEALTH & HUMAN SERVICES
Office of the Secretary
Assistant Secretary for Public Affairs
Washington, D.C. 20201

Request No. 2019-00040-FOIA-OS
Request No. 2019-00046-FOIA-OS
***American Oversight v. HHS*, Civil No. 18-2840 (D.D.C.)**

September 13, 2019

Austin R. Evers
Executive Director
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005

Dear Mr.Evers:

This letter is the final response to your two above-referenced Freedom of Information Act (FOIA) requests submitted to the U.S. Department of Health and Human Services (HHS).

Specifically, for request 2019-00040-FOIA-OS, you requested copies for the costs of the family separation policy for FY 2018 and FY 2019, from January 20, 2017, to the date the search was conducted:

Requested Records:
1. Records sufficient to identify total costs of crafting and implementing the family separation policy for FY 2018 and FY 2019 (including funds obligated for and reprogrammed to efforts related to the family separation policy in FY 2018, as well as funds requested for FY 2019).
2. Records sufficient to identify the programs from which funds for housing and reuniting children separated from their parents have been diverted, as well as the amount of funding diverted from those programs;
    a. This should include, all locations and individuals likely to contain responsive records, including at least past and current individuals working within the office listed in Appendix A.

The Department processed **61** pages of potentially responsive records captured in the agency's search for FOIA request 2019-00040. The **61** pages of records referenced above were subject to a thorough and detailed review by the FOIA Office. After a careful review of these pages, I have determined to release them to you in their entirety.

Specifically, for request 2019-00046-FOIA-OS, you requested copies of all communications regarding the cost of the family separation policy:

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Requested Records:
1. All records reflecting communications of political appointees* (including emails, email attachments, text messages, voicemail transcripts, messages on messaging platforms—such as Slack, GChat or Google Hangouts, Lync, Skype, WhatsApp, Facebook messaging, Twitter Direct Messages, or Signal—calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) regarding the cost of the family separation policy, including;

a. the availability or unavailability of budgeted, obligated, or appropriated funds;
b. any evaluation, assessment, or analysis of currently available appropriations that
c. could be used to fund implementation of the family separation policy; and constraints on planning for funding of the separation policy.

2. All records reflecting communications of political appointees* (including emails, email attachments, text messages, voicemail transcripts, messages on messaging platforms—such as Slack, GChat or Google Hangouts, Lync, Skype, WhatsApp, Facebook messaging, Twitter Direct Messages, or Signal—calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) concerning the appropriations, budgeting request, and cost involved with the implementation of the family separation policy between such political appointees and Congress, including congressional committees or staff.

The Department processed **5,865** pages of potentially responsive records captured in the agency's search for FOIA request 2019-00046. After a careful review of these pages, I have determined to release **1,987** pages to you in their entirety, and I am further releasing **111** pages in part, with portions redacted, pursuant to Exemptions (b)(5) and (b)(6) of the FOIA (5 U.S.C. §§ 552 (b)(5) and (b)(6)). I have also determined to withhold **500** pages in their entirety, pursuant to Exemption (b)(5). Furthermore, I determined that **3,257** pages were determined to be either non-responsive or duplicative to your request. Finally, I have determined that **10** pages should be sent for consultation to other government agencies to review their equities and returned to this office for final response to you. The referenced pages are enclosed on a USB drive.

FOIA exemption (b)(5) protects inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency. This exemption protects documents that would be covered by any privilege an agency could assert in a civil proceeding. These privileges include, among others, the deliberative process privilege, the attorney-client privilege, and the attorney work-product privilege.

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FOIA exemption (b)(6) permits a Federal agency to withhold information and records about individuals in "personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." The definition of "similar files" has historically been broadly interpreted to include a wide variety of files, and the United States Supreme Court has held that Congress intended the term "similar files" to be interpreted broadly, rather than narrowly. I have analyzed these records and find they meet the threshold requirement of this exemption. Additionally, I have reviewed and weighed the public interest in disclosure of this information against the privacy interest in nondisclosure, and found that the privacy interest outweighs the public's interest in disclosure.

Please be advised that the above referenced 10 pages will be sent to you directly after the consultation has been finalized. Should you have questions or concerns regarding the Department's response and/or the processing of your request, any such issues should be communicated to your legal counsel and the Department of Justice Attorney representing the Department in this matter.

Sincerely yours,

Brandon J. Gaylord
Supervisory Government Information Specialist &
HHS FOIA/PA Public Liaison

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To:	Urbanowicz, Peter (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c2582ea190224a01b152935657ba9ff7-Urbonowicz,>; Harrison, Brian (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d145efc9c35c4865aca6e9d47786b204-Harrison, B>; Brady, Will (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fa197652dadf4048ad6764b3f9d4a528-Brady, Will>; Keckler, Charles (HHS/IOS) (Charles.Keckler@hhs.gov) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bf9c9faeacbb49478b622f5dead1da46-Keckler, Ch>; Caliguiri, Laura (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a0ebcd820024c21b29cf87d3a05ff4d-Caliguiri,>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7ac2e66aa043a6b7cb2eaaf967ffa3-Parker, Jam>; Best, Daniel (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=534cdd4d70ee4a0d87f23ff0960b7adb-Best, Danie>; O'Brien, John (HHS/ASPE) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; Giroir, Brett (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a56fce4755704c4ca031d621b46fd6f7-Girori, Bre>; Lapinski, Mary-Sumpter (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d9f65798f9ad47998ee4791ad0e91217-Lapinski, M>; Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>; Nelson, Beth (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=21d730011e8b4446bc40e0e94d002e9b-Nelson, Bet>; Bassett, Matthew (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=44af8ffd19ae4e42a874f4b19140036e-Bassett, Ma>; Arbes, Sarah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=106db0ac70a241a8b1323647c093d9bf-Arbes, Sara>; Charrow, Robert (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=00531138af454ce3ac0b5885bead345f-Charrow, Ro>; Kalavritinos, Jack (OS/IEA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c96066167294edc816e7c273fddf342-Kalavritino>; Agnew, Ann (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e5174d56b97948d0820e90e8d8136ee5-Agnew, Ann>; Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>; Rowell, Scott (OS/ASA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c03a4628049a421e875ddb3479bf3609-Rowell, Sco>; Bird, Catherine (OS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb9d9180497c49c4a06a0dd1f6043dc7-Bird, Cathe>; Stecker, Judy (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0280b227911b40b6b30a81b8574ede6b-Stecker, Ju>; Murphy, Ryan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=314e69c69a844b47bdd9f74bc60a8d44-Murphy, Rya>
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Subject:	Comprehensive Summary of FY 2019 LHHS Final Bill
Date:	2018/10/03 11:26:35
Priority:	Normal
Type:	Note

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Team –

Attached is a summary of the FY 2019 Labor-HHS Appropriation bill, with information on both funding levels and requirements. It is organized by Operating Division with hyperlinks to relevant sections so you can easily navigate to areas of interest. As you know, IHS, FDA and a few other areas of HHS are under a continuing resolution until December 7 and we will continue to keep you updated.

Kudos to Steve, Norris and all of the ASFR team for their support of the entire FY 2019 Appropriation process. Reach out with any questions. Thanks

Recipient:	Urbanowicz, Peter (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c2582ea190224a01b152935657ba9ff7-Urbonowicz,>; Harrison, Brian (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d145efc9c35c4865aca6e9d47786b204-Harrison, B>; Brady, Will (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fa197652dadf4048ad6764b3f9d4a528-Brady, Will>; Keckler, Charles (HHS/IOS) (Charles.Keckler@hhs.gov) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bf9c9faeacbb49478b622f5dead1da46-Keckler, Ch>; Caliguiri, Laura (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a0ebcd820024c21b29cf87d3a05ff4d-Caliguiri,>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7ac2e66aa043a6b7cb2eaaf967ffa3-Parker, Jam>; Best, Daniel (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=534cdd4d70ee4a0d87f23ff0960b7adb-Best, Danie>; O'Brien, John (HHS/ASPE) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; Giroir, Brett (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a56fce4755704c4ca031d621b46fd6f7-Girori, Bre>; Lapinski, Mary-Sumpter (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d9f65798f9ad47998ee4791ad0e91217-Lapinski, M>; Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>; Nelson, Beth (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=21d730011e8b4446bc40e0e94d002e9b-Nelson, Bet>; Bassett, Matthew (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=44af8ffd19ae4e42a874f4b19140036e-Bassett, Ma>; Arbes, Sarah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=106db0ac70a241a8b1323647c093d9bf-Arbes, Sara>; Charrow, Robert (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=00531138af454ce3ac0b5885bead345f-Charrow, Ro>; Kalavritinos, Jack (OS/IEA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c96066167294edc816e7c273fddf342-Kalavritino>; Agnew, Ann (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e5174d56b97948d0820e90e8d8136ee5-Agnew, Ann>; Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>; Rowell, Scott (OS/ASA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c03a4628049a421e875ddb3479bf3609-Rowell, Sco>; Bird, Catherine (OS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb9d9180497c49c4a06a0dd1f6043dc7-Bird, Cathe>; Stecker, Judy (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0280b227911b40b6b30a81b8574ede6b-Stecker, Ju>; Murphy, Ryan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=314e69c69a844b47bdd9f74bc60a8d44-Murphy, Rya>; Waskiewicz, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c15d9127fb474caf9ee6e0f571616a3b-Waskiewicz,>; Cochran, Norris (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group

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Comprehensive Summary of the HHS provisions of the FY 2019 Labor-HHS minibus for HHS priority areas

This comprehensive summary covers the HHS-relevant provisions in the final FY 2019 Labor-HHS appropriations bill. Congress has not yet passed the final Agriculture Appropriations bill that funds the Food and Drug Administration, or the Interior Appropriations bill that funds the Indian Health Service, National Institute of Environmental Health Sciences at NIH, or the Agency for Toxic Substances and Disease Registry. These activities are funded in the Continuing Resolution through December 7 at the FY 2018 level.

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Summary of the Final FY 2019 Labor-HHS Appropriations Bill

On September 28, 2018, the President signed the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, P.L. 115-245. The Act includes a full-year appropriations bill for Labor, Health and Human Services, Education and Related Agencies ("Labor-HHS"), full-year Defense appropriations bill, and a Continuing Resolution for other parts of government through December 7, 2018.

The Labor-HHS component of the bill provides $90.8 billion in discretionary funding for HHS, which is +$4.2 billion above the FY 2019 Budget and +$2.1 billion above FY 2018. These totals do not include funding provided for HHS programs in the Interior and Agriculture subcommittee bills.

Discretionary Totals for HHS Activities in the LHHS Bill
($ in billions)

	FY 2018	FY 2019 Budget	FY 2019 LHHS Minibus		
			FY 2019 LHHS Minibus Total	+/- FY 2018	+/- FY 2019 Budget
HHS Budget Authority	$88.7 billion	$86.6 billion	$90.8 billion	+$2.1 billion	+$4.2 billion

Administration for Children and Families (Discretionary)

The FY 2019 bill provides $23.2 billion total in discretionary budget authority for ACF, which is an increase of +$7.9 billion above the FY 2019 Budget and +$357 million above FY 2018.

- Head Start: The bill provides $10.1 billion for the Head Start Program, an increase of +$788 million above the FY 2019 Budget and +$200 million above FY 2018.
    - *Early Head Start-Child Care Partnerships*: The bill includes $805 million for the Early Head Start-Child Care Partnerships, an increase of +$165 million above the FY 2019 Budget and +$50 million above FY 2018. The report directs ACF to continue to prioritize equally Early Head Start Expansion (EHS) and Early Head Start-Child Care Partnerships (EHS-CCP), as determined by the needs of local communities. The report also requires ACF to include information regarding EHS and EHS-CCP grants in the FY 2020 Congressional Justification.
    - *Full Day and Full Year Services*: The bill does not include funding for full-day and full-year services in Head Start, which is flat with the FY 2019 Budget.
    - *Cost of Living Adjustment*: The bill includes $150 million for a partial cost of living adjustment for grantees, an increase of +$128 million above the FY 2019 Budget.

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- *Designation Renewal System:* The bill includes $25 million for the Designation Renewal System, which is flat with the FY 2019 Budget and FY 2018.

- Child Care: The bill provides $5.3 billion for the Child Care and Development Block Grant, an increase of +$2.3 billion above the FY 2019 Budget and +$50 million above FY 2018.

- Preschool Development Grants: The bill provides $250 million for Preschool Development Grants +$250 million above the FY 2019 Budget and flat with FY 2018. This program is discontinued in the FY 2019 Budget.

- Child Welfare Programs: The bill includes $326 million for child welfare programs, including Child Welfare State Grants ($269 million), Child Welfare Research and Demonstration ($18 million), and Child Welfare Adoption Opportunities ($39 million), which is flat with the FY 2019 Budget and FY 2018.

- Unaccompanied Alien Children (UAC): The bill includes $1.3 billion for UAC, +$155 million above the FY 2019 Budget and flat with FY 2018. The bill does not include the contingency fund proposed by the FY 2019 Budget and increases the amount of funding the Secretary may transfer into the refugee appropriation to 15 percent of the appropriation (maximum of $286 million) up from 10 percent in previous years.
  - The bill increases funding for Refugees within the same appropriations account by +$34 million above FY 2018. Funds from this appropriation that were not needed to cover Refugee expenses were reprogrammed to support UAC costs in FY 2018. It is possible some portion of the Refugee appropriation could again be reprogrammed to UAC in FY 2019.

- UAC Related General Provisions: There are three general provisions related to the UAC Program:
  - **Section 232:** HHS *may* accept donations for the care of UAC in its custody including medical services, school supplies, toys, and clothing. The donation authority provided by this provision does not allow for cash donations to be accepted.
  - **Section 233:** The Secretary *shall,* by November 15, 2018, submit a plan for reunifying children in HHS custody who were separated from their parents, including possible children of potential class members of *Ms. L v. ICE.* If the plan is submitted late, HHS may not obligate NEF funds, outside of projects identified by the statement of managers, until the plan is submitted. Plan requirements include:
    - A description of Administration activities to reunify children with parents no longer in the U.S.;
    - Details on parents determined ineligible for reunification and on the disposition of UAC whose parents were deported;
    - Estimates of FY 2018 and anticipated FY 2019 expenditures for housing and reunifying children separated from their parents.
  - **Section 234:** None of the funds made available by this Act may be used to prevent a member of Congress from entering facilities used to house UAC.

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- In addition to the requirements of the House and Senate Reports (see below), the statement of managers incorporates the following House UAC amendments:

  - *Section 235:* To the extent practicable and in the best interests of the child, UAC who are siblings should be placed in the same shelter and released to the same sponsor.
  - *Section 236:* The Secretary shall submit monthly reports with respect to separated children placed in ORR custody including:
    - Number and ages of such children;
    - Length of separation;
    - Status of reunification efforts including number reunified and number reunified in family detention.
  - *Section 539:* Sense of Congress that immigrant children should not be separated from their parents and that separated families should be reunified immediately.
  - *Section 541:* Within 45 days of enactment, the Secretary shall submit a report detailing:
    - The number of pre-literate children in ORR custody during FY 2018;
    - The languages spoken by such children and number of translators needed for each language;
    - Any additional resources needed to ensure communication with such children.
  - *Section 542:* Within 45 days of enactment, the Secretary shall submit a report detailing:
    - Guidelines ORR provided to shelter staff covering the unique medical and mental health needs of separated children;
    - What resources, if any, HHS provides to separated children to address the mental health needs and trauma such children have experienced;
    - How HHS ensures that separated children receive timely access to treatment by qualified health professionals.
    - The average length of stay of separated children in ORR custody.

- The statement of managers also includes the following UAC requirements:
  - *Legal Services:* In addition to Senate report expectations that ORR continue the scope and funding levels at no less than FY 2017 funding levels, ORR should ensure that legal service providers are qualified, independent, and free from conflict of interest.
  - *Medication:* Except in the case of medical emergency, UAC receiving psychotropic medication must first receive a physical and mental health evaluation including assessments for trauma and comorbidities.
  - *Questions About Religion:* No funds may be used to gather information about the religion of a separated child, or the child's parents/legal guardian, except to:
    - Accommodate the religious preference of the child or parent/legal guardian;
    - For a claim of religious persecution under immigration law (by child or parent/legal guardian).

- UAC Senate report language:
  - *Monthly briefings:* to include:
    - Status of balances, current expenditure rates, and current trends;
    - Planned policy changes impacting program costs or operations;
    - Prior notification of administrative changes including those impacting the number of referrals, sponsor placement, shelter operations, and post-release services.

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- *Additional Weekly Update information:* to include; for all UAC and UAC apprehended as part of a family unit; number of referrals, number in custody, age/gender distribution, average length of stay, number of preteen children, discharges to sponsor by category, and number of children reunited with family members. Monthly totals should be provided for all information, updated as information becomes available.
- *Report within 30 days of enactment* on the process for monitoring contracts and addressing allegations of abuse/neglect in UAC shelters.
- Senate report language also:
  - Directs HHS to notify the Committees immediately if children remain in DHS custody longer than 72 hours;
  - Include sufficient resources in all budget estimates to thoroughly monitor treatment of all children in ORR care.

- UAC House Report language:
  - Reports required in report language:
    - ORR will detail the number and nature of shelters violating codes relating to standards of childcare or child wellbeing and the steps taken to address and prevent these violations.
    - OIG will report, within 30 days of enactment, on the implementation and any interagency coordination of the family separation policy and efforts made to reunify families.
  - *Information about separated family members:* Within 24 hours of family separation, parents must be informed of the whereabouts of their children and children must be informed of the whereabouts of their parents.
  - *Interagency Reporting:* Within 60 days of enactment, HHS, in collaboration with DHS, will report on actions to facilitate:
    - Ability of separated children communicating with their parents (including in person visits and video chats for tender age children);
    - Access of parents residing abroad to the ORR hotline to receive information about their children;
    - Reunification activities; and
    - Post-relief support of separated children.
  - *Protection of DNA:* ORR shall ensure the privacy of all individuals tested to determine family relationship. Tests results will not be stored or used for criminal or immigration enforcement. Testing entities will obtain consent of all tested individuals over 18 and make every effort to obtain guardian's consent for testing individuals under 18.

- Transitional and Medical Assistance: The bill provides $354 million, flat with the FY 2019 Budget and +$34 million above FY 2018. Funds are sufficient to provide eight months of cash and medical assistance for an estimated 45,000 refugees and 74,000 other new arrivals eligible for refugee benefits.

- Other Refugee Programs: The bill provides $248 million for other refugee programs, +$58 million above the FY 2019 Budget and +$6 million above FY 2018. Funds are included for Refugee Support Services ($207 million), Victims of Trafficking ($27 million), and Survivors of Torture ($14 million).

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- Low Income Home Energy Assistance Program (LIHEAP): The bill provides $3.7 billion, +$3.7 billion above the FY 2019 Budget which would have discontinued the program, and +$50 million above FY 2018.

- Child Abuse State Grants: The bill provides $85 million, +$60 million above the FY 2019 Budget and flat with FY 2018. The bill maintains the funding increase provided in FY 2018 to help states develop and implement plans of infant safe care.

- Adoption Incentives: The bill provides $75 million, +$37 million above the FY 2019 Budget and the flat with FY 2018. The bill maintains the funding increase provided in FY 2018 with the goal of eliminating the backlog in incentive amounts earned by states in previous years. Report language directs HHS to include total estimated bonus amounts earned by states in future budget submissions.

- Administration for Native Americans: The bill provides $54.6 million, +$2.5 million above the FY 2019 Budget and +$500,000 above FY 2018.

- Community Services Programs: The bill includes $754 million for Community Services Programs, which is +$754 million above the FY 2019 Budget and +$11 million above FY 2018.
  - *Community Services Block Grant:* The bill includes $725 million for the Community Services Block Grant, which is +$725 million above the FY 2019 Budget and +$10 million above FY 2018. This program is discontinued in the FY 2019 Budget.
  - *Other Community Services Program:* The bill includes $29 million for the Community Economic Development Program ($20 million) and Rural Community Facilities program ($9 million), +$29 million above FY 2019 Budget and +$1 million above FY 2018. The report directs the ACF Community Economic Development Program to issue a funding opportunity announcement that prioritizes applications from rural areas with high rates of poverty, unemployment, and substance use disorders. These programs are discontinued in the FY 2019 Budget.

- Family Violence Prevention and Services: The bill includes $175 million for domestic violence programs ($165 million) and the National Domestic Violence Hotline ($10 million), which is +$16 million above the FY 2019 Budget and +$6 million above FY 2018.

- Runaway and Homeless Youth Programs: The bill includes $127 million for the Runaway and Homeless Youth Act programs, an increase of +$8.3 million above the FY 2019 Budget and flat with FY 2018.
  - *Runaway and Homeless Youth Programs*: The bill includes $110 million for Runaway and Homeless Youth programs, which is +$8 million above the FY 2019 Budget and flat with FY 2018. The report directs the Department to provide funding to the grantees whose awards end on March 31, 2019 to continue services through the end of FY 2019. The report allows ACF to use any remaining funding for new awards after funds have been reserved for completing extensions.

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- *Street Outreach Program:* The bill includes $17 million to establish relationships with homeless youth and help them find housing and services, which is flat with the FY 2019 Budget and FY 2018.

Administration for Children and Families (Mandatory)

The FY 2019 bill provides ACF with a total of $15 billion in mandatory funding to support the programs and program areas below. In addition, the bill contains a provision extending programs authorized under Title IV-A of the Social Security Act, specifically Temporary Assistance for Needy Families and the Child Care Entitlement to States through December 7th under a continuing resolution. Due to the nature of the TANF appropriations language, funding will be available to states for the first full quarter of FY 2019.

- Child Support Enforcement: The bill provides $2.9 billion to support the current law baseline through September 30, 2019, as well as an advance appropriation of $1.4 billion for the first quarter of FY 2020. This is almost -$73 million below FY 2018 and consistent with the FY 2019 Budget.

- Foster Care: The bill provides $6.035 billion to support the current law baseline through September 30, 2019, and an additional $2.8 billion advance appropriation for the first quarter of FY 2020. This almost is consistent with the FY 2019 Budget. The FY 2018 level was $6.225 billion, and included a $2.7 billion advance appropriation for the first quarter of FY 2019, also consistent with that year's Budget request. Slower projected growth and an eventual projected decline in the foster care caseload is one reason for the lower funding level.

- Promoting Safe and Stable Families: The bill provides $345 million in mandatory funding for the Promoting Safe and Stable Families program in FY 2019, consistent with the FY 2019 Budget. Promoting Safe and Stable Families provides grants to states to provide services to families, including to promote child safety at home and to support reunifying and adoptive families. FY 2018 mandatory funding was $345 million, enacted in the Bipartisan Budget Act of 2018 (February 9, 2018).

  Note: The FY 2019 Budget also requested a reauthorization of Sexual Risk Avoidance Education (formerly known as Abstinence Education) and the Personal Responsibility Education Program (PREP) at current levels of $75 million per year for each program. These programs were reauthorized through FY 2019 in the Bipartisan Budget Act of 2018 (February 9, 2018), and therefore are not included in the bill or the total above.

- Social Services Block Grant: The bill provides $1.7 billion to carry out the Social Services Block Grant program, consistent with FY 2018. The FY 2019 Budget request proposes zero-funding for the Social Services Block Grant but maintains funding for Health Professions Opportunity Grants (HPOG), a separate work-readiness training program within the same account, at $85 million per year. Funding for HPOG was appropriated in the Bipartisan Budget Act of 2018 (February 9, 2018), which reauthorized the grants for FY 2018 and 2019

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at $85 million per year. Therefore, funding for HPOG is not included in the bill or the total above. The FY 2019 Budget proposed changing this mandatory program to discretionary funding, but the enacted funding continues to be mandatory.

Administration for Community Living

The FY 2019 bill provides $2.2 billion in discretionary budget authority for ACL, +$256 million above the FY 2019 Budget and +$25 million above FY 2018. Combined with $83 million in mandatory funding of which $27.7 million is transferred from the Prevention and Public Health Fund, the total FY 2019 ACL program level is $2.3 billion.

- Home and Community-Based Supportive Services (HCBSS): The bill provides $385 million for Home and Community-Based Supportive Services, which is +$35 million above the FY 2019 Budget and flat with FY 2018, to support formula grants to states that help older adults and people with disabilities to live independently.

- Nutrition Programs: The bill provides a total of $907 million for Nutrition Programs, an increase of +$69 million above the FY 2019 Budget and +$10 million above FY 2018.
    - *Congregate Nutrition*: The bill includes $495 million, which is +$45 million above the FY 2019 Budget and +$5 million above FY 2018.
    - *Home-Delivered Services*: The bill includes $251 million, which is +$24 million above the FY 2019 Budget and +$5 million above FY 2018.
    - *Nutrition Services Incentive Program*: The bill includes $160 million, which is flat with the FY 2019 Budget and FY 2018 to support congregate and home-delivered meals to States and tribes.

- Native American Nutrition and Supportive Services: The bill provides $34 million for Native American Nutrition and Supportive Services, which is +$3 million above the FY 2019 Budget and +$1 million above FY 2018 to support grants to tribes for the delivery of nutrition and supportive services in tribal communities.

- Preventive Health Services: The bill provides $25 million for Preventive Health, which is flat with the FY 2019 Budget and FY 2018 to support States in carrying out evidence-based activities that enhance the wellness of seniors.

- Chronic Disease Self-Management Education: The bill provides $8 million from the Prevention and Public Health Fund for Chronic Disease Self-Management Education, which is +$8 million above the FY 2019 Budget and flat with FY 2018 to support activities addressing chronic disease management and improving health status for older adults.

- Fall Prevention: The bill provides $5 million from the Prevention and Public Health Fund for Falls Prevention, which is +$5 million above the FY 2019 Budget and flat with FY 2018.

- Aging Network Support Activities: The bill provides $17 million for Aging Network Support Activities, an increase of +$8 million above the FY 2019 Budget and +$5 million above

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FY 2018. The report directs $5 million to the Holocaust Survivor's Assistance program and $5 million for a new Care Corps Grants program.

  - The Care Corps Grants program will provide grants to public or private agencies for the purpose of placing volunteers in communities to assist family caregivers, seniors, and individuals with disabilities in maintaining independence by providing non-medical care.

- Family Caregiver Support Services: The bill provides $181 million for Family Caregiver Support Services, which is +$31 million above the FY 2019 Budget and +$600,000 above FY 2018. The report directs $300,000 to establish and carry out activities of the Family Caregiving Advisory Council (P.L. 115-119), and $300,000 to establish the Advisory Council to Support Grandparents Raising Grandchildren Act (P.L. 115-196).

- Native American Caregiver Support Services: The bill provides $10 million for Native American Caregiver Support Services, which is +$3 million above the FY 2019 Budget and flat with FY 2018 to support grants to tribes for caregivers caring for older adults with chronic illness or disabilities.

- Alzheimer's Disease Program: The bill provides $24 million for the Alzheimer's Disease Program, which is +$4 million above the FY 2019 Budget and flat with FY 2018 to support grants to States for Alzheimer's and Dementia services, including the National Alzheimer's Call Center that provides crisis counseling for persons with Alzheimer's disease and their caregivers.

- Lifespan Respite Care: The bill include $4 million for Lifespan Respite Care, which is +$1 million above the FY 2019 Budget and flat with FY 2018 to support grants to States to expand respite care services to family caregivers, increase respite care resources, and improve access to respite care services.

- Long Term Care Ombudsman Program: The bill provides $17 million for the Long Term Care Ombudsman Program, which is +$1 million above the FY 2019 Budget and flat with FY 2018 to support the Long Term Care Ombudsman Program in providing services to older adults in residents of nursing homes and other long-term care facilities.

- Elder Rights Support Activities: The bill provides +$16 million for Elder Rights Support Activities, which is +$4 million above the FY 2019 Budget and flat with FY 2018. Of this amount, $12 million is for the Elder Justice Initiative to support activities that prevent and detect elder abuse and neglect by providing technical assistance and training to aging service organizations.

- Prevention of Elder Abuse & Neglect: The bill provides $5 million for Prevention of Elder Abuse & Neglect, which is flat with the FY 2019 Budget and FY 2018 for formula grants to States to prevent the abuse, neglect, and exploitation of older individuals.

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- Senior Medicare Patrol Program: The bill provides $18 million from the Health Care Fraud and Abuse Control wedge, which is flat with the FY 2019 Budget and FY 2018, to support the Senior Medicare Patrol program.

- State Councils on Developmental Disabilities: The bill provides $76 million for State Councils on Developmental Disabilities, which is +$20 million above the FY 2019 Budget and flat with FY 2018 to develop, improve and expand State systems of services for people with development disabilities.

- Developmental Disabilities Protection and Advocacy: The bill provides $41 million for Developmental Disabilities Protection and Advocacy, which is +$2 million above the FY 2019 Budget and flat with FY 2018, for formula grants to States to support protection and advocacy systems that protect the rights of persons with developmental disabilities receiving treatment and services.

- University Centers for Excellence in Developmental Disabilities: The bill provides $41 million for University Centers for Excellence in Developmental Disabilities, which is +$8 million above the FY 2019 Budget and flat with FY 2018, to support a network of systems that provide services that ensure youth with disabilities complete school and/or integrate into employment.

- Developmental Disabilities Projects of National Significance: The bill provides $12 million for Projects of National Significance, an increase of +$11 million above the FY 2019 Budget and flat with FY 2018. Of this amount, the report provides not less than $1 million to fund transportation assistance activities for older adults and persons with disabilities. The explanatory statement notes that transportation activities should focus on the most cost-effective and sustainable strategies that can be replicated to other communities

- National Institute on Disability, Independent Living & Rehabilitation Research (NIDILRR): The bill provides $109 million for NIDILRR within ACL, an increase of +$14 million above the FY 2019 Budget and +$4 million above FY 2018. It does not shift these activities to NIH, as requested in the FY 2019 Budget. The bill includes $4 million to fund competitive research grants for assistive technology research within NIDILRR to improve independence amongst individuals with disabilities and seniors.

- Independent Living: The bill provides $116 million for the Independent Living program, which is +$20 million above the FY 2019 Budget and +$3 million above FY 2018. The explanatory statement directs $25 million to the Independent Living State Grants program and $91 million for the Centers for Independent Living program.

- Traumatic Brain Injury (TBI): The bill provides $11 million for the Traumatic Brain Injury program, which is +$2 million above the FY 2019 Budget and flat with FY 2018 to fund grants to States to improve direct services to individuals and families with traumatic brain injuries.

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- Limb Loss Resource Center: The bill provides $4 million, +$4 million above the FY 2019 Budget and flat with FY 2018, to support activities to improve the health of people with limb loss and support independent living within the disability community.

- Paralysis Resource Center: The bill provides $9 million, which is +$9 million above the FY 2019 Budget and +$1 million above FY 2018. The report directs ACL to continue support for the National Paralysis Resource Center at not less than the Fiscal Year 2018 funding level.

- State Health Insurance Assistance Program: The bill provides $49 million, which is +$49 million above the FY 2019 Budget and flat with FY 2018, to provide accurate health insurance information to Medicare beneficiaries and their families.

- Aging and Disability Resource Centers: The bill provides $8 million for Aging and Disability Resource Centers, which is +$2 million above the FY 2019 Budget and flat with FY 2018, to support one-on-one counseling and access to long-term services for seniors and individuals with disabilities.

- Voting Access for People with Disabilities (HAVA)**:** The bill provides $7 million, which is +$2 million above the FY 2019 Budget and flat with FY 2018, to support grants that improve voting access for individuals with disabilities.

- Assistive Technology: The bill provides $36 million for the Assistive Technology Program, which is +$4 million above the FY 2019 Budget and flat with FY 2018, to provide access to devices and services that improve functional capabilities to individuals with disabilities.

- Program Administration: The bill provides $41 million for ACL's Program Administration, which is +$3 million above the FY 2019 Budget and flat with FY 2018, to support related expenses for program management and oversight activities.

Agency for Healthcare Research and Quality

The FY 2019 bill includes $338 million in budget authority, which is +$82 million above the FY 2019 Budget, and +$4 million above FY 2018. When accounting for all resources, the total program level includes $458 million, an increase of $24 million above FY 2018 and $82 million above the FY 2019 Budget. This total includes $120 million in mandatory resources from the Patient-Centered Outcomes Research Trust Fund. The bill did not consolidate AHRQ into NIH as proposed in the FY 2019 Budget, and instead continues to fund the agency as an independent operating division within the Department. The bill includes the following allocations:

- Health Services Research, Data, and Dissemination: The bill includes $96 million for the cross-cutting Health Services Research, Data, and Dissemination portfolio, which is +$46 million above FY 2019 Budget and +$2 million above FY 2018. This funding is used to support a research portfolio that funds foundational health services research through grants and contracts to the extramural community. Within this amount:

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- *Opioids Research*: AHRQ has estimated it will spend $4.5 million, an increase of +$1 million above FY 2018, for opioids grants and technical assistance to research barriers to increasing access to medication assisted treatment in primary care. This amount is not specified in the bill or the report.
- *Investigator-Initiated Research:* The bill includes $53 million to support investigator-initiated research, which is +$15 million above the FY 2019 Budget and flat with FY 2018.
- *Population Health Research*: The bill includes $2 million for the Director of AHRQ to consult with CMS, to establish a program to explore the effectiveness of data computing analytics to identify trends in chronic disease management and support the development of protocols for intervention and utilization of health care navigators to carry out those intervention strategies.

- Patient Safety: The bill includes $72 million for the Patient Safety portfolio, which is +$2.5 million above the FY 2019 Budget and $2 million above FY 2018.
  - *Diagnostic Errors:* The bill includes $2 million to support grants to address diagnostic errors, which many include the establishment of Research Centers of Diagnostic Excellence to develop systems and new technology solutions to improve diagnostic safety and quality.

- Medical Expenditure Panel Survey: The bill includes $70 million for the Medical Expenditure Panel Survey, which is -$2.2 million below the FY 2019 Budget and flat with FY 2018. The data is collected annually and provides detailed information regarding how Americans use and pay for healthcare.

- Health Information Technology: The bill includes $17 million for the Health IT research portfolio, which is +$17 million above the FY 2019 Budget and flat with FY 2018. This program was proposed for discontinuation within the FY 2019 Budget.

- U.S. Preventive Services Task Force: The bill includes $12 million for the Task Force, which is +$4 million above the FY 2019 Budget and flat with FY 2018. This funding is used to provide scientific, administrative and dissemination support to the Task Force.

- Program Support: The bill includes $71 million for Program Support, which is +$15 million above the FY 2019 Budget and flat with FY 2018. This funding is used to support AHRQ staffing, administrative costs, and rent.

Centers for Disease Control and Prevention

The FY 2019 bill provides $7.1 billion in budget authority, which is +$1.6 billion above FY 2019 Budget and -$357 million below FY 2018. The total FY 2019 CDC program level is $13.3 billion, which is +$2.2 billion above the FY 2019 Budget and -$92 million below FY 2018. This funding includes $805 million from the Prevention and Public Health Fund, +$4 million above FY 2018. The FY 2019 Budget discontinued the Prevention and Public Health Fund and proposed budget authority for all supported activities. The total program level

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also includes $5.3 billion in mandatory resources. The total program level also assumes that $75 million would be available in FY 2019 from the Interior appropriation under a continuing resolution for the Agency for Toxic Substances and Disease Registry. The bill did not reflect the transfer of the Strategic National Stockpile from CDC to ASPR; as a result, the FY 2019 bill funding levels for CDC include $610 million in funding for the Strategic National Stockpile. The bill did not include proposed legislative language to enable HHS to reimburse overseas employees for the new tax liability for relocation costs, or proposed buildings and facilities construction language which will impact the planned timeline for the consolidation of the National Institute for Occupational Safety and Health (NIOSH) campus in Cincinnati.

- Immunization and Respiratory Diseases: The bill includes $798 million for Immunization and Respiratory Diseases, which is +$98 million above the FY 2019 Budget and flat with FY 2018.
  - *Immunization Program*: The bill includes $611 million for the Immunization Program, which is +$90 million above the FY 2019 Budget and flat with FY 2018.
  - *Influenza Planning and Response*: The bill includes $188 million for Influenza Planning and Response, which is +$8 million above the FY 2019 Budget and flat with FY 2018.

- HIV/AIDS, Viral Hepatitis, Sexually-Transmitted Infections, and Tuberculosis Prevention: The bill includes $1.3 billion for HIV/AIDS, Viral Hepatitis, Sexually-Transmitted Infections, and Tuberculosis Prevention, which is +$15 million above the FY 2019 Budget and +$5 million above FY 2018.
  - *Domestic HIV/AIDS Prevention and Research*: The bill includes $789 million for Domestic HIV/AIDS Prevention and Research, which is +$40 million above the FY 2019 Budget and flat with FY 2018.
  - *Viral Hepatitis*: The bill includes $39 million for Viral Hepatitis, which is +$5 million above the FY 2019 Budget and flat with FY 2018.
  - *Sexually-Transmitted Diseases*: The bill includes $157 million for Sexually-Transmitted Infections, which is +$5 million above the FY 2019 Budget and flat with FY 2018.
  - *Tuberculosis*: The bill includes $142 million for Tuberculosis, which is flat with both the FY 2019 Budget and FY 2018 .
  - *Infectious Diseases and Opioid Epidemic:* The bill includes $5 million for Infectious Diseases and the Opioid Epidemic, which is -$35 million below the FY 2019 Budget and +$5 million above FY 2018. The Committee directs this funding to target surveillance, treatment and education efforts around Hepatitis B and C and HIV as it relates to the opioids epidemic.

- Emerging and Zoonotic Infectious Diseases: The bill includes $620 million for Emerging and Zoonotic Infectious Diseases, which is +$112 million above the FY 2019 Budget and +$6 million above FY 2018.
  - *Antibiotic Resistance*: The bill includes $168 million for Antibiotic Resistance, which is +$31 million above the FY 2019 Budget and flat with FY 2018.

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- *Emerging Infectious Diseases*: The bill includes $157 million for Emerging Infectious Diseases, which is -$28 million below the FY 2019 Budget and +$2 million above FY 2018.
- *Food Safety*: The bill includes $60 million for Food Safety, which is +$6 million above the FY 2019 Budget and +$2 million above FY 2018.
- *Harmful Algal Blooms*: The bill includes $1 million for Harmful Algal Blooms, which is +$1 million above both the FY 2019 Budget and FY 2018.
- *Notable Programs Relative to FY 2019 Budget*: The bill maintains FY 2018 funding levels for Lab Safety and Quality, All Other Infectious Diseases, Prion Disease, Chronic Fatigue Syndrome, Epidemiology and Lab Capacity and Healthcare-Associated Infections. The FY 2019 Budget proposed to discontinue these programs.

- Chronic Disease Prevention and Health Promotion: The bill includes $1.2 billion for Chronic Disease Prevention and Health Promotion, which is +$249 million above the FY 2019 Budget and +$25 million above FY 2018.
  - *Diabetes; Heart Disease/Stroke; Arthritis; Nutrition, Physical Activity, and Obesity; Tobacco Prevention and Control*: The bill includes a combined total of $566 million for these five programs, which is +$566 million above the FY 2019 Budget and +$2 million above FY 2018. The FY 2019 Budget does not include dedicated funding to these programs – instead these activities are allowable uses within the proposed $500 million *America's Health* block grant. The bill does not accept the FY 2019 Budget proposal to provide funding for America's Health Block Grant.
    - The report language specifies that of the total $57 million provided for Nutrition, Physical Activity, and Obesity, $15 million is directed to address High Obesity Counties, which is flat with FY 2018, and $2 million to Farm to School activities, which is +$2 million above FY 2018.
  - *National Diabetes Prevention Program:* The bill includes $25 million for the National Diabetes Prevention Program, which is +$5 million above the FY 2019 Budget and flat with FY 2018.
  - *Cancer Prevention and Control*: The bill includes $372 million for Cancer Prevention and Control, which is +$34 million above the FY 2019 Budget and +$4 million above FY 2018.
  - *Safe Motherhood/Infant Health*: The bill includes $58 million for Safe Motherhood and Infant Health, which is +$12 million above both the FY 2019 Budget and FY 2018. The Committee directs $12 million to expand CDC's Maternal Mortality Review Committees.
  - *Notable Programs Relative to FY 2019 Budget*: The bill does not accept the FY 2019 Budget proposal to discontinue funding for Glaucoma, Visual Screening Education, Inflammatory Bowel Disease, Interstitial Cystitis, Excessive Alcohol Use, Chronic Kidney Disease, Million Hearts, Let's Move, Hospitals Promoting Breastfeeding, Prevention Research Centers, Colorectal Cancer, Ovarian Cancer, Prostate Cancer, Skin Cancer, Epilepsy, National Lupus Patient Registry and Racial and Ethnic Approaches to Community Health (REACH).
    - The report language specifies that of the total $56 million provided for REACH, $21 million is directed to Good Health and Wellness in Indian Country, which is +$5 million above FY 2018.

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- Birth Defects and Developmental Disabilities: The bill includes $157 million for Birth Defects and Developmental Disabilities, which is +$46 million above the FY 2019 Budget and +$15 million above FY 2018.
  - *Emerging Threats to Mothers and Babies:* The bill includes $10 million for Emerging Threats to Mothers and Babies, which is flat with the FY 2019 Budget and +$10 million above FY 2018. The Committee directs CDC build upon surveillance through the registry system to monitor the long-term impact of Zika and to capture data on other emerging infectious diseases and public health threats.
  - *Neonatal Abstinence Syndrome:* The bill includes $2 million for Neonatal Abstinence Syndrome which is +$2 million above both the FY 2019 Budget and FY 2018.

- Public Health Scientific Services: The bill includes $496 million for Public Health and Scientific Services, which is +$28 million above the FY 2019 Budget and +$6 million above FY 2018.
  - *National Neurological Conditions Surveillance System:* The bill indicates $5 million of the total for the Surveillance, Epidemiology and Informatics program is to establish the National Neurological Conditions Surveillance System, authorized in the 21st Century Cures Act.
  - *Primary Immunodeficiencies*: The Conference bill includes $1 million for the Office of Public Health Genomics to support education and awareness activities of primary immunodeficiencies, which is +$1 million above both the FY 2019 Budget and FY 2018.

- Environmental Health: The bill includes $209 million for Environmental Health, which is +$52 million above the FY 2019 Budget and +$4 million above FY 2018.
  - *Environmental Health Laboratory:* The bill includes $66 million for Environmental Health Laboratory, which is +$10 million above the FY 2019 Budget and +$3 million above FY 2018.
  - *Environmental Health Activities*: The bill includes $44 million for Environmental Health Activities, which is +$10 million above the FY 2019 Budget and flat with FY 2018. The bill does not accept the FY 2019 Budget proposal to discontinue funding for the Amyotrophic Lateral Sclerosis (ALS) Registry or Climate Change.
  - *Childhood Lead Poisoning Program*: The bill includes $35 million for Childhood Lead Poisoning Program, which is +$18 million above the FY 2019 Budget and flat with FY 2018.
  - *Trevor's Law*: The bill includes $1 million to develop guidelines to investigate potential cancer clusters in the United States, which is +$1 million above both the FY 2019 Budget and FY 2018.

- Injury Prevention and Control: The bill includes $649 million for Injury Prevention and Control, which is +$382 million above the FY 2019 Budget and flat with FY 2018.
  - *Gun Violence Research:* The bill continues a general provision to prevent funds from being used to advocate for or promote gun control.
  - *Opioid Overdose Prevention and Surveillance*: The bill provides $476 million for Opioid Overdose Prevention and Surveillance, which is +$350 million above the

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FY 2019 Budget and flat with FY 2018. Of this total funding, $10 million is allocated to a national awareness and communications campaign.
    - *National Violent Death Reporting System*: The bill provides $24 million for the National Violent Death Reporting System, which is +$8 million above the FY 2019 Budget and flat with FY 2018.
    - *Notable Programs Relative to FY 2019 Budget:* The bill does not accept the FY 2019 Budget proposal to discontinue funding for Elderly Falls.

- Occupational Safety and Health: The bill provides $336 million for the National Institute for Occupational Safety and Health (NIOSH), which is +$336 million above the FY 2019 Budget and +$1 million above FY 2018.
    - Firefighter Cancer Registry: The Conference report allocates $1 million of the total NIOSH funding to implement the Firefighter Cancer Registry Act of 2018, P.L. 115-194.
    - *Notable Programs Relative to FY 2019 Budget*: The bill does not accept the FY 2019 Budget proposal to consolidate NIOSH within NIH.

- Global Health: The bill provides $489 million for the Global Health, which is +$80 million above the FY 2019 Budget and flat with FY 2018.
    - *Global Disease Detection and Other Programs*: The bill provides $108 million for the Global Disease Detection, which is -$1 million below the FY 2019 Budget and flat with FY 2018.
        - *Global Health Security:* Of this total funding, $50 million is provided for Global Health Security activities, which is -$9 million below the FY 2019 Budget and flat with FY 2018. This funding will help bridge Global Health Security activities as the Ebola Supplemental funding ends in FY 2019.

- Public Health Preparedness and Response: The bill provides $1.4 billion for Public Health Preparedness and Response, which is +$665 million above the FY 2019 Budget and +$15 million above FY 2018. Of the total increase, +$10 million is provided to address costs for transitioning the Strategic National Stockpile to ASPR, as communicated by Appropriations staff. The bill does not reflect the transfer of the Strategic National Stockpile from CDC to ASPR, as proposed in the FY 2019 Budget; however, report language acknowledges the transition of the program from CDC to ASPR.
    - *State and Local Preparedness and Response*: The bill provides $675 million for the State and Local Preparedness and Response, which is +$15 million above the FY 2019 Budget and +$5 million above FY 2018.
    - *Strategic National Stockpile:* The bill provides $610 million for the Strategic National Stockpile, which is +$610 million above the FY 2019 Budget for CDC and flat with FY 2018. The report directs the Secretary to ensure the transition of the SNS from CDC to ASPR addresses programmatic and funding gaps that would hinder CDC's ability to continue ongoing activities. HHS is also directed to maintain a strong and central role for CDC in the medical countermeasure enterprise.
    - *Notable Programs Relative to FY 2019 Budget:* The bill does not accept the FY 2019 Budget proposal to discontinue funding for Academic Centers for Public Health Preparedness.

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- Buildings and Facilities: The bill provides $30 million for the Buildings and Facilities, which is flat with the FY 2019 Budget and -$480 million below FY 2018. This large decrease is due to the one time funding appropriated in FY 2018 for a high-containment biosafety lab.

- CDC Cross-Cutting Activities and Program Support: The bill provides $324 million for the CDC-Wide Activities, which is +$119 million above the FY 2019 Budget and +50 million above FY 2018.
    - *Infectious Disease Rapid Response Reserve Fund:* The Conference bill includes $50 million for a new Infectious Disease Rapid Response Reserve Fund. This fund will provide an immediate source of funding to CDC to allow for quick response to future, imminent infectious disease crises. Previous budgets proposed the establishment of a Fund within the Office of the Secretary with authority to transfer throughout the Department.
        - Funds are available for an infectious disease emergency that is 1) declared by the Secretary under 319 of the PHS Act, or 2) determined by the Secretary to have significant potential to imminently occur and potential, on occurrence, to affect national security or the health and security of US citizens domestically or internationally.
        - Funds may be transferred to NIH or ASPR following the purposes outlined under this authority. (Sec. 231)
    - *Notable Programs Relative to FY 2019 Budget:* The bill does not accept the FY 2019 Budget proposal to discontinue funding for the Preventative Health and Health Services Block Grant.
    - The bill provides the Secretary with the authority to transfer $10 million of the total funding to the Working Capital Fund reserve.

Centers for Medicare & Medicaid Services

CMS Program Management

The FY 2019 bill provides CMS Program Management with $3.97 billion (including the additional $305 million for Medicare Operations), which is +$431 million above the FY 2019 Budget and flat with FY 2018 (also including the additional $305 million for Medicare Operations).

This level includes:

- Program Operations: The bill provides $2.82 billion for Program Operations, which is +$423 million above the FY 2019 Budget and flat with FY 2018 (including the additional $305 million for Medicare Operations).

- Federal Administration: The bill provides $733 million for Federal Administration, which is +$30 million above the FY 2019 Budget and flat with FY 2018.

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- Survey and Certification: The bill provides $397 million for Survey and Certification, which is -$24 million below the FY 2019 Budget and flat with FY 2018. Additionally, appropriators did not enact the FY 2019 Budget proposed user fee that would have allowed CMS to charge facilities for revisit and complaint surveys.

- Research: The bill provides $20 million for research, which is +$2 million above the FY 2019 Budget and flat with FY 2018.

CMS Health Care Fraud Waste and Abuse Control Program (HCFAC)

The bill includes $765 million for the HCFAC account, which is –$5 million below the FY 2019 Budget and +$20 million above FY 2018.

- CMS Program Integrity:
  - The bill includes $599.4 million for CMS program integrity, which is -$5 million below the FY 2019 Budget and +$14.6 million above FY 2018. The bill only reduced the CMS request relative to the FY 2019 Budget, while all other HCFAC discretionary funding streams were flat with the Budget.
  - The bill also allocates CMS program integrity funding in a single lump sum earmark, which can be allocated to Medicare, Medicaid, and private insurance program integrity, as requested in the Budget.
    - A portion of the CMS discretionary HCFAC funding will be allocated to the Administration for Community Living (ACL).

- Office of Inspector General: The bill includes $87.2 million for OIG Medicare and Medicaid oversight, which is flat with the FY 2019 Budget and +$2.8 million above FY 2018.

- Department of Justice: The bill includes $78.4 million for DOJ, which is flat with the FY 2019 Budget and +$2.6 million above FY 2018.

- Senior Medicare Patrols: The bill includes language requiring that no less than $17.6 million from the discretionary HCFAC account must support the Senior Medicare Patrol program administered by the Administration for Community Living.

Grants to States for Medicaid

The FY 2019 bill includes $276.2 billion in definite authority for FY 2019, which fully funds the FY 2019 Budget, and is a decrease of $8.6 billion compared to FY 2018. The bill also includes and an advance appropriation of $137.9 billion for the first quarter of FY 2020.

- The Conference Report does not incorporate appropriations language that was proposed in the FY 2019 Budget, which included changes to the period of availability of indefinite authority. “For carrying out” language was recommended in lieu of “for making payments” for consistency throughout the LHHS appropriations language which would

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clarify CMS authority around the use of the Medicaid appropriation for administrative costs.

CHIP

The FY 2019 bill includes $7.7 billion in Changes in Mandatory Programs (CHIMPs) from the Children's Health Insurance Program (CHIP). CMS currently estimates that there is sufficient funding available such that none of the proposed rescissions would affect operations of the CHIP program. The CHIMP funding comes from two separate pots:

- Annual CHIP Allotments to States: First, the bill includes a permanent rescission of $2.1 billion from the FY 2019 annual appropriation for state CHIP allotments, out of any funding unobligated as of September 25, 2019. Currently, CMS projects that it will obligate $18.3 billion of the $22.6 billion appropriated, leaving $4.3 billion unobligated at the end of FY 2019. While this total is subject to change, the $2.2 billion remaining post rescission will be sufficient to cover any unanticipated increases in allotments during FY 2019.

- Child Enrollment Contingency Fund: The total CHIMP also includes $5.6 billion from the Contingency Fund. This rescission includes approximately $5.5 billion in unused funding carried over into FY 2019, as well as approximately $100 million in interest expected to accrue on this funding while invested during FY 2019. All of this funding will be made temporarily unavailable for obligation during FY 2019 but will "pop up" or become available in FY 2020 at which point the Congress could CHIMP these funds again. CMS will also receive a new deposit of 20 percent of the FY 2019 allotments appropriation, totaling $4.5 billion, which should be more than sufficient to cover any potential shortfall payments during the year.

CMS Report Language

Medicare

- The Committee supports the promulgation of the proposed rule-making for Durable Medical Equipment competitive bidding and wants to ensure continued access to care in rural areas.

- CMS is expected to increase oversight of all contractors that conduct audits of Medicare claims and is concerned over the level of independence contractors have regarding claims review.

- CMS is encouraged to continue to utilize private sector best practices to address Medicare improper payments to the fullest extent.

- CMS should not remove Medicare Advantage plans from markets based on three consecutive years of low star scores until the ASPE study is completed and the recommendations are implemented.

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- CMS is directed to submit a report within 180 days that analyzes the comments received on the request for information about the area wage index in the inpatient hospital FY 2019 proposed rule.

- CMS is encouraged to work toward achievement of the Healthy People 2020 goals to increase the percentage of adults age 65 and older who receive recommended vaccinations.

- CMS is directed to submit a report on the migration of procedures since 2008 from hospital outpatient departments to ambulatory surgical centers' of procedures that have been added to the surgical centers' payable list.

- CMS is directed to improve coordination between the Center for Clinical Standards and Quality and the Center for Medicare, and provide an update on these activities in the FY 2020 Congressional Justification.

- CMS is requested to provide an update in the FY 2020 Congressional Justification on the inclusion of quality measures to assign accountability for the prevention of complications with cardiac procedures.

- CMS is encouraged to develop laboratory test pricing policy that ensures the agency is not paying more for a single or group of clinical diagnostic laboratory tests than it would for a test panel.

- CMS is urged to align its interpretation of the colorectal cancer screening cost-sharing requirements for Medicare beneficiaries with those for other Federally-funded health programs.

- CMS is urged to consider the impact of CMS' 2019 proposed Part D rule on seniors' premiums and taxpayers, and provide an update in the FY 2020 Congressional Justification.

- CMS is requested to describe in the FY 2020 Congressional Justification actions that it is taking to reverse the trend of increased hospital-acquired pressure ulcers.

- CMS is encouraged to address the ability of hospital-based nursing programs to maintain their pass-through payments and provide an update in the FY 2020 Congressional Justification.

- CMS is encouraged to take necessary steps to ensure Medicare beneficiaries have access to lymphedema compression garments and provide an update in the FY 2020 Congressional Justification.

- CMS is encouraged to review the Quality Payment Program's procedures and report in the FY 2020 Congressional Justification on proposals to ensure qualified physicians are not denied reimbursement regardless of their employment start date.

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- CMS is requested to provide an update in the FY 2020 Congressional Justification on efforts to inform the health care community that new renal replacement therapy codes are available for reporting and research.

- CMS has been requested to provide an update in the FY 2020 Congressional Justification on efforts to support rural nursing facilities.

- CMS is encouraged to evaluate existing and potential multi-payer models that incorporate a comprehensive continuum of care for persons with Alzheimer's.

- CMS is encouraged to consider covering CT Colonography as a Medicare-covered colorectal cancer screening test.

- CMS is encouraged to collaborate with NIA, AHRQ, and other relevant stakeholders to assess and monitor developments in current methods for detecting cognitive impairment and to develop recommendations for health professionals.

- CMS is requested to provide a report regarding pharmacy direct and indirect remuneration fees in Medicare Part D and the impact of these fees on beneficiaries.

- CMS is encouraged to reexamine the determination that hospitals with approved residency programs cannot claim the time that FTE residents train at Critical Access Hospitals (CAHs) for indirect or direct GME purposes under Medicare. CMS is encouraged to consider revisions that better support hospitals' efforts to train more resident physicians in rural settings like CAHs.

- CMS is encouraged to consider medical practices that coordinate with nonprofit housing providers, and prioritize existing models of support and services at home that demonstrate a reduced rate of growth in Medicare spending.
- CMS is directed to incorporate the Standards for Adult Immunization Practice in provider outreach and educational materials pertaining to the Initial Preventative Physical Examination and Annual Wellness Visits covered for Medicare beneficiaries.

- CMS is encouraged to consider the extent to which population density, median annual household income, cost of living, and hospital closures may play a role in exacerbating wage index disparities as part of its review of public comments on the 2019 Hospital Inpatient Prospective Payment System proposed rule.

- CMS is encouraged to explore whether Medicare reimbursement should be modified for alternatives that can reduce dependence on opioid use.

- CMS is encouraged to work with suppliers of the Diabetes Prevention Program (DPP) to remove regulatory barriers that limit Medicare beneficiaries' access to this program. CMS is further encouraged to enable online, distance learning, and combination providers to participate as providers in the DPP.

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- CMS is encouraged to work with ONC to provide technical assistance to industry on promoting patient safety by accurately linking patients to their health information.

- CMS will prepare a report on the difference in cost to Medicare patients receiving Interventional Pain procedures across different settings.

- CMS is encouraged to expeditiously publish the final rule for proposed changes to the Program of All-Inclusive Care for the Elderly (PACE).

- CMS is encouraged in administering the Medicare physician fee schedule to make no further changes for Robotic Stereotactic Radiosurgery.

- CMS is encouraged to work with States and associations of rural hospitals to allow program flexibility to demonstrate sustainable service delivery model options for rural communities, focused on preserving access to emergency care services and supporting future financial viability of rural facilities.

- CMS is encouraged to keep records of how Certified Surgical Assistants participate in all Medicare-funded surgical operations that may impact surgery time.

- CMS is commissioned to provide a report to the House and Senate appropriations committees evaluating the use of telehealth and remote patient monitoring under all programs and pilots within the Medicare and Medicaid Programs.

- CMS is directed to provide an update on the progress of the New Medicare Card initiative in the FY 2020 Congressional Justifcation.

- CMS is encouraged to finalize the proposals included in the Request for Information in the 2019 proposed Part C and D Technical Regulation that address direct and indirect remuneration fees in Medicare Part D. CMS is also encouraged to submit the report requested in the 2018 Omnibus report language on how to best address the dramatic increase of pharmacy direct and indirect remuneration fees in Medicare Part D, including options to require that all direct and indirect remuneration fees be accounted for at point of sale; as part of negotiated price; and that any incentive fees be paid separately.

- Within 30 days of enactment, CMS is directed to enter into an agreement with the Health and Medicine Division of the National Academies of Sciences, Engineering, and Medicine, in consultation with FDA, to conduct a study on the Federal healthcare costs, safety, and quality concerns associated with discarded drugs that results from weight-based dosing of medicines contained in single dose vials. The recommendation includes $1,200,000 provided through CMS Program Operations. CMS is directed to provide an update to the appropriations committees 15 days after enactment and every 90 days thereafter until the report is completed.

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- CMS is encouraged to explore whether Medicare reimbursement for non-opioid alternatives is adequate or whether it should be modified for alternatives that can reduce dependence on opioid use.

- CMS is encouraged to increase the representation of primary care physicians on any advisory boards or work groups that formulate recommendations regarding physician work relative values.

Medicaid and CHIP

- CMS is directed to include autoimmune conditions that cause hair loss within medically necessary coverage criteria. The Committee requests an update on this effort in the FY 2020 Congressional Justification.

- The Committee requests an update in the FY 2020 Congressional Justification on the possible impact of Medicaid coverage of tobacco cessation nonprescription drugs, including any associated savings.

- CMS is directed to report on the impact of recommended breastfeeding rates on health outcomes and health care costs. The report should examine the impact of clinically recommended breastfeeding rates on associated Medicaid expenditures, urgent care costs, and direct and indirect medical costs, including workplace productivity and employee retention. The Secretary is required to ensure that pregnant women have access to guidance on nutritional advice based on the latest scientific research on the health and cost benefits of human milk.

- The Committee notes the special relationship between Federally-recognized Indian Tribes and the Federal Government, specifically the 100 percent Federal match for Medicaid services provided through an IHS facility. The Committee notes that no discretionary action can be taken that can impede the direct relationship between the Federal government and the provision of health care for Indian tribes.

- The Committee encourages HHS to work with states to employ peer support specialists in Medicaid to further address the opioid epidemic.

- The Committee encourages CMS to collaborate with CDC's Division of Sexually Transmitted Diseases (STD) Prevention to develop a screening and treatment initiative under its Medicaid program.

- CMS is encouraged to identify and share with states best practices for integrating telehealth and remote patient monitoring into the Medicaid and CHIP programs.

- The Committee requests that CMS update the definition of Therapeutic Foster Care in order to enable more consistent care and treatment.

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- CMS is encouraged to work with the National Vaccine Advisory Committee to determine the vaccine adherence rate in the Medicaid and CHIP populations compared to the national average pediatric rate.

Exchanges/Private Insurance

- The Secretary must continue providing advance notification of Exchange enrollment figures to the Appropriations Committees at least two business days before they are released to the public.

- The Committee continues to include bill language to prevent the Program Management appropriation account from supporting Risk Corridor payments.

- The Secretary must continue to report all expenditures associated with operating the Exchanges since enactment of the Patient Protection and Affordable Care Act, as well as estimates for future year spending through FY 2020 in the CJ.

Other

- CMS must submit a report within 120 days that pertains to price changes of prescription drugs since 2008. Metrics to be covered in the report include the 10 most frequently prescribed and the 10 highest-cost drugs prescribed for each of the following programs: Medicare Part B, Medicare Part D, Medicaid and the Department of Veterans Affairs.

- The Committee supports CMS's efforts to evaluate coverage determinations concerning prefabricated breast prosthetics.

- CMS is urged to move forward with filling the vacancy for the Chief Dental Officer position.

- CMS is directed to include in the fiscal year 2020 Congressional Justification a table with current law estimates for all CMS administered programs listed in the table at the back of the House report.

- CMS is requested to provide an update in the fiscal year 2020 Congressional Justification on efforts to address access to naloxone for identified at-risk populations.

- The Committee requests, as part of the fiscal year 2020 Congressional Justification, the National Vaccine Advisory Committee, in coordination with CMS, review data and provide: the number of children under the age of 35 months that received childhood vaccinations and an assessment on the extent to which individuals under the age of 35 months received vaccinations according to the vaccine schedule recommendation put forth by CDC.

- CMS is urged to formalize a process for testing CMMI models and provide more transparency on the impact of CMMI demonstrations on patient access, care quality, and health costs in the annual Report to Congress, and work closely with the Physician Technical Advisory Committee when developing alternative payment models.

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- CMS should take necessary administrative action to ensure existing physical infrastructure for health care facilities is effectively utilized in order to provide for necessary care in disaster-impacted communities.

- CMS is requested to evaluate diversion data from the Drug Enforcement Administration and state sources to determine the scope of the rising rate of diversion of medication-assisted treatments for opioids and to submit an update in the FY 2020 Congressional Justification.

- CMS is requested to include a detailed explanation in its FY 2020 Congressional Justification of CMS' methodology for including data in the National Health Expenditure database.

- CMS is strongly urged to pursue initiatives that expand access to quality care and increase parity for mental health services.

- The Secretary is encouraged to promulgate rules for covering prescribed compression garments in the treatment of lymphatic system failure.

- CMS is requested to submit a report on utilization for the newly established ICD-10 code regarding Muscular Dystrophy, as compared to the former broader ICD-10 code.

- CMS is encouraged to work with the stakeholder community to identify and address barriers to access to medically necessary foods.

- CMS' Center for Program Integrity should a) continue to work with Oak Ridge National Laboratory to leverage DOE's computational facilities to bring state-of-the-art computational and data analytics capabilities to reduce waste, fraud, and abuse, and b) brief the appropriations committees on its progress and funding requirements needed to continually address this problem.

- CMS is encouraged to ask the SEP-1 (severe sepsis/septic shock) measure stewards to reevaluate their SEP-1 quality measures taking into account expanded FDA approvals for biomarker tests like procalcitonin in conjunction with its impact on antibiotic stewardship. CMS is encouraged to identify Medicare and Medicaid expenditures for individuals with sepsis and is requested to submit an update on these activities in the FY 2020 Congressional Justification.

- CMS is encouraged to collaborate with SAMHSA, CDC, and HRSA to support education and training for medical providers on the frontlines of the opioid epidemic to help expand access to comprehensive, coordinated care for opioid addiction and related infectious diseases.

- CMS is encouraged to work with skilled nursing facilities and nursing facilities to improve the quality of care provided to their residents and to educate these facilities about the waivers authorized under statute and appeal rights of disapprovals of these nurse aid training programs.

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Health Resources and Services Administration

The FY 2019 bill provides $6.9 billion total in discretionary budget authority for HRSA, a decrease of -$2.7 billion below the FY 2019 Budget and +$107 million above FY 2018. Combined with mandatory funding from the Bipartisan Budget Act of 2018, the total FY 2019 HRSA program level is $11.7 billion, an increase of +$2.1 billion above the FY 2019 Budget and +$307 million above FY 2018. The bill does not accept the Budget's proposal to shift MACRA programs to the discretionary side. In FY 2019, HRSA mandatory funding will not be subject to sequestration.

- Health Centers: The bill provides $1.6 billion in discretionary budget authority for the Health Centers Program. Combined with the $4 billion appropriated in the Bipartisan Budget Act, total Health Centers funding is $5.6 billion, an increase of +$535 million above the FY 2019 Budget and +$200 million above FY 2018. The bill requires HRSA to spend no less than $200 million for quality improvement grants to support and enhance behavioral health, mental health, or substance use disorder services. The bill also raises the cap for the Federal Torts Claim Act program from $115 million to $120 million.

- Workforce: The bill provides $1.1 billion in discretionary budget authority for health workforce programs, +$639 million above the FY 2019 Budget and +$36 million above FY 2018. The bill continues funding for all health workforce programs proposed for discontinuation in the FY 2019 Budget.

    - *Graduate Medical Education:* The bill includes $25 million for a new program that will support colleges of medicine at public universities in the top quintile of States projected to have a primary care provider shortage. The bill and report outlines criteria for the prioritization of applications and includes a match requirement for grantees.
    - *National Health Service Corps*: The bill includes $105 million in discretionary funding for the National Health Service Corps to expand the delivery of substance use disorder treatment services. Combined with the $310 million appropriated in the Bipartisan Budget Act, total FY 2019 funding for the National Health Service Corps is $415 million, which is +$105 million above the FY 2019 Budget and flat with FY 2018.
        - Of the $105 million, the bill sets aside $15 million for the Rural Communities Opioids Response Program and another $15 million to expand the delivery of primary care and substance use disorder treatment services in Indian Health Service facilities, Tribally-Operated 638 Health Programs, and Urban Indian Health Programs
    - *Children's Hospitals Graduate Medical Education*: The bill includes $325 million in discretionary funding for the Children's Hospital Graduate Medical Education Program, +$325 million above the FY 2019 Budget and +$10 million above FY 2018. The FY 2019 Budget consolidated all graduate medical education programs into a new mandatory graduate medical education capped grant program.
    - *Behavioral Health Workforce Education and Training*: The bill includes $75 million for Behavioral Health Workforce Education and Training, an increase of +$75 million

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above the FY 2019 Budget and flat with FY 2018. Unlike last year's appropriation, funding for this program now has a one year period of availability. The FY 2019 Budget discontinued this program.

- *Mental and Behavioral Health Education Training:* The bill includes $37 million for Mental and Behavioral Health Education and Training, an increase of +$37 million above the FY 2019 Budget and flat with FY 2018. Of this total, report language notes that $18 million is provided to the Graduate Psychology Education Program. Unlike last year's appropriation, funding for this program now has a one year period of availability. The FY 2019 Budget discontinued this program.
- *Training for Diversity*: The bill provides $88 million in discretionary funding for Training for Diversity Programs, an increase of +$88 million above the FY 2019 Budget and flat with FY 2018. Training for Diversity programs were discontinued in the FY 2019 Budget.
- *Area Health Education Centers*: The bill provides $39 million for Area Health Education Centers, +$39 million above the FY 2019 Budget and +$1 million above FY 2018. The FY 2019 Budget discontinued this program.
- *Nursing Programs:* The bill provides $249 million in discretionary funding for Nursing Programs, +$166 million above the FY 2019 Budget and flat with FY 2018. With the exception of the NURSE Corps Loan Repayment and Scholarship Program, the FY 2019 Budget discontinued all other nursing programs.

- Maternal and Child Health: The bill includes $927 million for the Maternal and Child Health Bureau, which is +$197 million above the FY 2019 Budget and +$40 million above FY 2018. The bill maintains programs that were discontinued in the FY 2019 Budget.
  - *Maternal and Child Health Block Grant:* The bill includes $678 million for the Maternal and Child Health Block Grant, +$50 million above the FY 2019 Budget and +$26 million above FY 2018.
    - *Special Projects of Regional and National Significance:* The bill includes $110 million for Special Projects of Regional and National Significance in the Maternal and Child Health Block Grant. Report language directs $3 million of this amount to support research-based Infant-Toddler Court Teams, $23 million to continue maternal mortality activities, and $4 million for another year of the HRSA funded study focused on improving child health through a statewide system of early childhood developmental screenings and interventions.
  - *Pediatric Mental Health Care Access:* The bill includes $10 million for Pediatric Mental Health Care Access, which is +$10 million above FY 2019 Budget and flat with FY 2018. Unlike last year's appropriation, funding for this program now has a one year period of availability. This new program received appropriations for the first time in FY 2018.
  - *Screening and Treatment for Maternal Depression:* The bill includes $5 million for Screening and Treatment for Maternal Depression, +$5 million above FY 2019 Budget and flat with FY 2018. This new program received appropriations for the first time in FY 2018.

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- *Healthy Start:* The bill includes $123 million for Healthy Start, +$19 million above the FY 2019 Budget and +$12 million above FY 2018. The increase will support a new initiative to reduce maternal mortality.
- *Heritable Disorders:* The bill includes $16 million for Heritable Disorders program, +$16 million above the FY 2019 Budget and +$1 million above FY 2018. The report notes that $2 million is provided for newborn screening for Severe Combined Immune Deficiency and related disorders. The FY 2019 Budget discontinued this program.
- *Autism and Developmental Disabilities Program:* The bill includes $51 million for this program, which is +$51 million above the FY 2019 Budget and +$2 million above FY 2018. The report language directs the entire increase to the Leadership Education in Neurodevelopmental and Related Disabilities component of the program.

- Ryan White HIV/AIDS Program: The bill provides $2.3 billion total for the Ryan White HIV/AIDS Program, which is +$59 million above the FY 2019 Budget and flat with FY 2018. The bill maintains funding for Part F- AIDS Education and Training Programs and Part F- Special Projects of National Significance at FY 2018 levels. These programs were discontinued in the FY 2019 Budget.

- Health Care Systems Bureau: The bill provides $115 million for the Health Care Systems Bureau, an increase of +$15 million above the FY 2019 Budget and +$4 million above FY 2018.
  - *Organ Transplantation:* The bill includes $26 million for the Organ Transplantation program, an increase of +$2 million above the FY 2019 Budget and flat with FY 2018.
  - *National Cord Blood Inventory:* The bill includes $16 million for the National Cord Blood Inventory, an increase of +$4 million above the FY 2019 Budget and +$1 million above FY 2018, to support the collection and banking of cord blood units.
  - *C.W. Bill Young Cell Transplantation Program:* The bill includes $25 million for the Cell Transplantation Program, an increase of +$3 million above the FY 2019 Budget and +$1 million above FY 2018, to provide provides support to patients who need a potentially life-saving bone marrow transplant or cord blood transplant.
  - *Poison Control:* The bill includes $23 million for the Poison Control Program, an increase of $4 million above the FY 2019 Budget and +$2 million above FY 2018, to support the national poisoning awareness and prevention campaign, Poison Help Line, and make grants to regional poison centers to help prevent and provide treatment recommendations for poisonings.
  - *340B Drug Pricing Program:* The bill includes $10 million for the 340B Drug Pricing Program, which is flat with the FY 2019 Budget and FY 2018. The bill does not include the user fee proposal from the FY 2019 Budget. Within 90 days from the date of enactment of the bill, the report directs HRSA to issue a report to Congress on its progress implementing a secure website for the 340B Program.
  - *Hansen's Disease Programs:* The bill includes $14 million for the Hansen Disease Programs, +$2 million above the FY 2019 Budget and flat with FY 2018. The bill

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includes funding for the Hansen's Disease Building and Facilities line, which was discontinued in the FY 2019 Budget.

- Rural Health: The bill provides $318 million for the Federal Office of Rural Health Policy, which is +$243 million above the FY 2019 Budget and +$27 million above FY 2018. The bill does not include a number of rural health discontinuations and reductions proposed in the FY 2019 Budget.
    - *Rural Communities Opioids Response:* The bill includes $120 million for the Rural Communities Opioids Response program, an increase of +$120 million above the FY 2019 Budget and +$20 million above FY 2018. Within the amounts provided to the National Health Service Corps, the report directs up to $15 million to support this initiative. The increase provided is for the establishment of three Rural Centers of Excellence on substance use disorders. Report language outlines criteria for Centers. Unlike last year's appropriation, funding for this program now has a one year period of availability.
    - *Rural Residency Program:* The bill includes $10 million for the Rural Residency Program, an increase of +$10 million above the FY 2019 Budget and -$5 million below FY 2018, to expand the number of rural residency training programs with a focus on developing programs that are sustainable beyond Federal funding. Funding is available until FY 2021.
    - *Rural Outreach Grants*: The bill includes $78 million for Rural Outreach Grants, an increase of +$27 million above the FY 2019 Budget and +$6 million above FY 2018.
    - *Rural Health Policy Development*: The bill includes $9 million for Rural Health Policy Development Grants, an increase of +$4 million above the FY 2019 Budget and flat with FY 2018.
    - *Rural Hospital Flexibility Grants*: The bill includes $54 million for Rural Hospital Flexibility Grants, an increase of +$54 million above the FY 2019 Budget and +$4 million above FY 2018. The FY 2019 Budget discontinued this program.
    - *State Offices of Rural Health:* The bill includes $10 million for State Offices of Rural Health, an increase of $10 million above the FY 2019 Budget and flat with FY 2018. The FY 2019 Budget discontinued this program.
    - *Black Lung Clinics:* The bill includes $11 million for Black Lungs Clinics, an increase of +$4 million above the FY 2019 Budget and+$1 million above FY 2018, to support services to assist disabled coal miners with medical, educational, and benefits counseling.
    - *Telehealth:* The bill includes $25 million for Telehealth, an increase of +$15 million above the FY 2019 Budget and +$1 million above FY 2018. Within the funds provided for Telehealth, the report includes $1 million for research and the development of best practices for the delivery of mental and behavioral health care via telehealth.

- Family Planning: The bill provides $286 million for the Title X Family Planning program, flat with the FY 2019 Budget and FY 2018.

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- Program Management: The bill provides $155 million for Program Management, an increase +$3 million above the FY 2019 Budget and flat with FY 2018. The report notes that of the amounts provided, $250,000 is for the development of an oral health awareness and education campaign across relevant HRSA divisions. The report directs HRSA to identify oral health literacy strategies that are evidence-based and notes that the Chief Dental Officer should play a key role in the design, monitoring, oversight, and implementation of this project.

National Institutes of Health

The bill provides $38 billion in budget authority, which is +$4.1 billion above the FY 2019 Budget and +$1.8 billion above FY 2018, and includes $711 million from the 21st Century Cures Innovation account. The total program level for NIH is $39.3 billion, which is +$4.5 billion above the FY 2019 Budget and +$2 billion above FY 2018, and includes $1 billion in PHS Evaluation Funds and $150 million in current law mandatory funding for the Special Diabetes program. The total program level also assumes that $77 million would be available in FY 2019 from the Interior appropriation under a continuing resolution.

- Opioids Research and Transfer Authority: The report specifies $1.3 billion for opioids research, which is +$504 million above the FY 2019 Budget and +$74 million above FY 2018. The total includes $500 million for research related to opioid addiction, development of opioid alternatives, pain management and addiction treatment, divided equally between the National Institute of Neurological Disorders and Stroke and the National Institute on Drug Abuse. Additionally, the report directs $774 million in base funding for opioid misuse and addiction treatment as well as pain research.
    - *Transfer authority general provision*: Consistent with FY 2018, the NIH Director has the authority to transfer appropriations for opioid addiction, opioid alternatives, pain management, and addiction treatment to other Institutes and Centers of the NIH to be used for the same purpose, 15 days after notifying the Committees on Appropriations. This authority is in addition to any other transfer authority provided by law. Because the opioid funding is not specifically appropriated in this bill, NIH may not be able to utilize this authority. ASFR is consulting OGC on this provision.

- Universal Influenza Vaccine: The bill directs the National Institutes on Allergy and Infectious Diseases to allocate not less than $140 million in FY 2019, which is +$76 million above the FY 2019 Budget and +$40 million above FY 2018, to advance basic, translational, and clinical research to develop a universal influenza vaccine.

- Cancer Research: The bill includes a total of $6 billion in budget authority for the National Cancer Institute, which is +$518 million above the FY 2019 Budget and +$179 million above FY 2018. This total includes $400 million for Cancer Research authorized in the 21st Century Cures Act. Up to $30 million may be used for facilities repairs and improvements at the NCI-Frederick facility.
    - NCI is directed to conduct a study to investigate the impact of providing navigation and direct patient expense reimbursement on participation in clinical trials, with a

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particular focus on underrepresented communities. NIH is directed to provide a description of NCI's plans for this study within 90 days of enactment.

- Alzheimer's disease: The bill includes a total of $2.3 billion for Alzheimer's disease research, which is +$883 million above the FY 2019 Budget and +$512 million above FY 2018.

- Down Syndrome: The report applauds NIH for increasing its investment in Down syndrome research and advancing the trans-NIH initiative included in FY 2018. The report directs NIH to continue prioritizing funding for Down syndrome research.

- Precision Medicine: The bill provides $466 million for the Precision Medicine Initiative, which is +$280 million above the FY 2019 Budget and +$86 million above FY 2018. This total includes $186 million for the Precision Medicine *All of Us* study authorized by the 21st Century Cures Act, which is flat with the FY 2019 Budget and +$86 million above FY 2018.

- Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative: The bill provides $429 million, an increase of +$314 million above the FY 2019 Budget and +$29 million above FY 2018. This includes $115 million authorized by 21st Century Cures Act for the BRAIN Initiative in FY 2019.

- Regenerative Medicine: The bill provides $10 million authorized by the 21st Century Cures Act for FY 2019, which is flat with the FY 2019 Budget with FY 2018.

- Combating Antibiotic-Resistant Bacteria (CARB): The bill provides $550 million for CARB research, which is +$72 million above the FY 2019 Budget and +$37 million above FY 2018.

- Fogarty International Center: The bill includes a total of $78 million in budget authority for the Fogarty International Center, an increase of +$8 million above the FY 2019 Budget and +$2 million above FY 2018.

- Institutional Development Award Program (IDeA): The bill provides $362 million for the IDeA program, which is +$11 million above FY 2018. The FY 2019 Budget did not direct a specific amount to this program.

- Clinical and Translational Science Awards: The bill includes $560 million, +$17 million above FY 2018. The FY 2019 Budget did not direct a specific amount to these awards.

- Office of the Director/Common Fund: The bill includes $1.9 billion for the Office of the Director. Within this total, $607 million is for the Common Fund, which is +$8 million above the FY 2019 Budget and +$18 million above FY 2018. The bill also provided the following for NIH's Office of the Director:

    - National Children's Study Follow-On: $165 million, which is flat with FY 2018. The FY 2019 Budget did not direct a specific amount to this study.

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- Gabriella Miller Fund: Appropriates $12.6 million within the Common Fund, which is flat with the FY 2019 Budget and FY 2018, with an appropriation from the Pediatric Research Initiative Fund, to support the 5th year of the 10-year Initiative. The report requests an update in the FY 2020 Congressional Justification on this effort as described in the House and Senate reports.

- Office of the Inspector General Oversight: The bill directs the Office of the Director to transfer $5 million to the HHS Office of the Inspector General (OIG) to support increased oversight of NIH's grant programs. These funds are in addition to the resources OIG currently dedicates to oversight of NIH. The OIG must submit to the Committees a comprehensive audit plan for its oversight of NIH for FY 2019-2020 not later than 60 days from the date of enactment, and to brief the Committees on its implementation.

- Biomedical and Behavioral Research Facilities: The bill provides $50 million for the NIH Director to make grants or contracts to public and nonprofit entities to expand, remodel, renovate, or alter existing research facilities or construct new research facilities.

- Mental Health and Substance Use Disorder Portfolio Analysis: The report directs the NIH Director to conduct a comprehensive study and submit a report to Congress not later than one year from the date of enactment that includes a portfolio analysis of current funding levels for mental health and substance use disorder and identifies the process by which NIH sets funding priorities for these areas.

- Executive Employee Performance Bonuses: The report directs the NIH Director to provide the Committees with information not later than 10 days from the date of enactment showing the bonus that each NIH executive employee was eligible to receive in FY 2015-2017, and the portion of that bonus that each executive ultimately received in those three years. The report further directs NIH to list all employees who report directly to the Director and describe processes the Director use to provide feedback and assess performance. Finally, the report directs NIH to describe the process it relies upon to ensure executive performance plans are based upon specific performance results and measureable outcomes.

- Buildings and Facilities: The bill provides $200 million, which is flat with the FY 2019 Budget and +$71 million above FY 2018.

- Research Program Consolidation: The bill does not provide funding within NIH for the National Institute for Research on Safety and Quality (NIRSQ), the National Institute for Occupational Safety and Quality (NIOSH), and the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR) as proposed in the FY 2019 Budget.

- Facilities and Administrative Costs (Indirect Costs): The bill continues a provision prohibiting HHS from developing a modified approach to funding facility and administrative costs (indirect grant costs). It directs NIH to continue applying provisions relating to indirect

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costs, including approval of deviations from negotiated rates, to the same extent and in the same manner as NIH applied such provisions in the third quarter of FY 2017.

- Research Centers in Minority Institutions: The bill expects the National Institute on Minority Health and Health Disparities (NIMHD) to allocate not less than $61.5 million to Research Centers in Minority Institutions plus an increase commensurate with the general increase for NIMHD.

- Valley Fever: Understanding that the National Institute of Allergy and Infectious Diseases (NIAID) has halted enrollment in the Valley Fever Randomized Controlled Trial due to lack of enrollment, the report directs NIAID to expeditiously revise the study design and protocol in order to restart enrolling patients before the end of 2018. NIAID is further directed to provide quarterly updates to the Committees as well as a report on maximizing health care provider enrollment sites and public awareness plans to increase patient enrollment within 90 days from the date of enactment.

Office of the Secretary

General Departmental Management

The FY 2019 bill provides $481 million in discretionary budget authority for General Department Management, which is +$191 million above the FY 2019 Budget and +$10 million above FY 2018.

- Federal Funds: Federal Funds remain flat with FY 2018 at $201 million to support the Secretary's role as general manager of the Department.
  - The $5 million reduction below the FY 2019 Budget represents funding allocated to the Departmental Appeals Board to support adjudication of Medicare Appeals, resulting in a funding level for DAB flat with FY 2018.

- Sexual Risk Avoidance: The bill provides $35 million, an increase of +$35 million above the FY 2019 Budget and +$10 million above FY 2018.

- Teen Pregnancy Prevention Program: The bill provides $101 million, flat with FY 2018 and an increase of +$101 million above thee FY 2019 Budget.

- Minority AIDS Initiative funding: The bill provides $54 million, flat with FY 2018 and an increase of +$54 million above the FY 2019 Budget.

- PHS Evaluation Set-Aside funding: The bill provides $65 million, flat with FY 2018 and an increase of $11 million above the FY 2019 Budget.

Additional Programs in the bill flat with FY 2018:

- Immediate Office of the Assistant Secretary for Health ($36 million) +$1.2 million above the FY 2019 Budget which proposed funding the Office of Adolescent Health at $200,000.

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- Offices of Minority Health ($57 million) and the Office on Women's Health ($32 million). This level includes increases of +$3 million and +$4 million respectively above the FY 2019 Budget.

Office of Medicare Hearings and Appeals

The FY 2019 bill includes $182 million in discretionary budget authority, available through FY 2020, for the Office of Medicare Hearings and Appeals (OMHA), which flat with FY 2018 and an increase of $70 million above the FY 2019 Budget. The bill does not include $125 million in mandatory funding requested in the FY 2019 Budget.

The level provided in the Senate bill will ultimately allow OMHA to adjudicate approximately 160,000 appeals, In FY 2018 it is estimated that OMHA will receive an incoming appeals workload of 92,000.

Office of Inspector General

The FY 2019 bill includes $80 million in discretionary budget authority for the Office of Inspector General (OIG), which is flat with the FY 2019 Budget and FY 2018. The level for Discretionary Health Care Fraud and Abuse is $87 million, which is flat with the FY 2019 Budget and $3 million above FY 2018.

- The level provided in the Omnibus will allow OIG to maintain activities for PHHS oversight but will have limited ability to shift current resources to assist the Department in the fight against opioid addiction.
- The increase to HCFAC discretionary will provide resources to address fraud, waste, and abuse in prescription drugs, including abuse and diversion of opioids and enhance OIG's work to detect and prevent drug abuse and fraud in Medicare.

Office for Civil Rights

The FY 2019 Omnibus includes $39 million in discretionary budget authority for the Office for Civil Rights (OCR), which is +$8 million above the FY 2019 Budget and flat with FY 2018.

- At this level OCR will maintain current levels of staffing and services without substantially expanded use of civil monetary penalty and settlement funding.
- OCR will also be positioned to expand the new Conscience Religious Freedom Division without using resources from the Civil Rights and Operations and Resources Divisions.

Office of the National Coordinator for Health IT

The FY 2019 bill includes a total program level of $60 million for the Office of the National Coordinator for Health IT (ONC), entirely in discretionary budget authority, which is +$22 million above the FY 2019 Budget and flat with FY 2018. The bill and report do not

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further allocate funding across ONC programs and activities within the total of $60 million. ONC is working on developing the program estimates within the total for their three programs: Policy Development and Coordination; Standards, Interoperability, and Certification; and, Agency-Wide Support.

- The report directs ONC to provide a status report on the rulemaking for health IT certification and information blocking (Sections 3001(c)(5)(D) and 3022(a)(3) of the PHS Act) to the the House and Senate Appropriations, Senate HELP, and House Energy and Commerce Committees not later than November 1, 2018. This legislation authorized ONC to define information blocking, implement information blocking rules and identify exceptions.

Public Health and Social Services Emergency Fund

The FY 2019 bill includes a total of $2 billion in budget authority for the Public Health and Social Services Emergency Fund, which is -$282 million below the FY 2019 Budget and +$68 million above FY 2018. The bill does not reflect the transfer of the Strategic National Stockpile from CDC to ASPR, as proposed in the FY 2019 Budget. The totals included in this summary also do not assume the transfer.

- Biomedical Advanced Research and Development Authority (BARDA): The bill includes $562 million for BARDA, which is +$50 million above the FY 2019 Budget and +$25 million above FY 2018.
  - The bill maintains two-year funding availability for BARDA, and does not provide no-year funding as requested in the FY 2019 Budget.
  - The bill maintains the special contracting authority to permit BARDA to enter into a contract for up to ten years as long as funds are available and obligated for the first fiscal year of the contract. (G.P. Sec. 218)

- Project BioShield: The bill includes $735 million for Project BioShield, which is +$225 million above the FY 2019 Budget and +$25 million above FY 2018. The bill does not provide authority for the Secretary to transfer up to ten percent of amounts appropriated between BARDA and Project BioShield, as requested in the FY 2019 Budget.

- Pandemic Influenza: The bill includes a total of $260 million for Pandemic Influenza activities within the PHSSEF, which is +$10 million above both the FY 2019 Budget and FY 2018. Of this total, $256 million would support ASPR activities. The report table incorrectly includes funding for this program in OASH rather than in the PHSSEF, but this reflection is not binding.

- Hospital Preparedness Program: The bill includes $265 million for Hospital Preparedness, which is +$10 million above the FY 2019 Budget and flat with FY 2018.

- National Disaster Medical System: The bill includes $57 million for the National Disaster Medical System, which is +$8 million above the FY 2019 Budget and flat with FY 2018.

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- Medical Reserve Corps: The bill includes $6 million for the Medical Reserve Corps, which is +$2 million above the FY 2019 Budget and flat with FY 2018. The report table incorrectly includes funding for this program in OASH rather than in the PHSSEF, but this reflection is not binding.

- Cybersecurity: The bill includes $59 million for ASA/Cybersecurity activities, which is -$9 million below the FY 2019 Budget and +$8 million above FY 2018.

- Office of Security and Strategic Information: The bill includes $7.5 million for the Office of Security and Strategic Information, which is -$1 million below the FY 2019 Budget and flat with FY 2018.

- Travel during a declared Public Health Emergency: The conferees include a new provision allowing HHS to cover travel expenses when necessary for employees and their families to obtain medical care when they are assigned to duty in a location with a public health emergency. (Sec. 230)

- Salary Pay Cap: The bill does not include language that would allow ASPR to exceed the Executive Level II salary cap for the newly authorized Medical Countermeasure Innovation Partnership program.

- CDC Infectious Disease Rapid Response Reserve Fund: The bill establishes a new $50 million "Infectious Disease Rapid Response Reserve Fund" within CDC with authority to transfer to NIH and ASPR. Previous Budgets proposed the establishment of a Fund within the Office of the Secretary with authority to transfer throughout the Department.

Substance Abuse and Mental Health Services Administration (SAMHSA)

The FY 2019 bill includes $5.6 billion in discretionary budget authority for SAMHSA, which is +$2.2 billion above the FY 2019 Budget and +$84 million above FY 2018. Combined with $134 million from the PHS Evaluation Set-Aside and $12 million transferred from the Prevention and Public Health Fund, the total FY 2019 SAMHSA program level is $5.7 billion.

- **Programs Addressing the Opioid Crisis**: The bill includes a total of $1.9 billion in SAMHSA to address opioids, which is an increase of +$1.7 billion above the FY 2019 Budget and +$56 million above FY 2018. In this area, the bill includes:

    - State Grants to Address the Opioid Crisis: The bill includes a total of $1.5 billion, which is +$1.5 billion above the FY 2019 Budget and flat with FY 2018, for grants to states to address the opioid crisis. Within this total for formula grants, the bill includes:

        - *State Opioid Response Grants*: $1.5 billion for the State Opioid Response Grants, which is $1.5 billion above the FY 2019 Budget and +$500 million above FY 2018 to support grants to States to address the opioid crisis.

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- Of this $1.5 billion, the bill continues to direct $50 million for grants to Indian tribes or tribal organizations, 15 percent set-aside for States with the highest age-adjusted mortality rate related to opioid overdose deaths, and a 2 percent cap for Federal administrative expenses, training, technical assistance, and evaluation.
- The bill decreases the notification period for the committees to receive a report on the allocation of funding from 30 days in FY 2018 to 15 days prior to obligation.

- *State Targeted Response to the Opioid Crisis Program*: The bill provides no funding for the older State Targeted Response to the Opioid Crisis Program from CURES, which is the same amount as the FY 2019 Budget and -$500 million below FY 2018.

- Strategic Prevention Framework: The bill includes $119 million, which is +$61 million above the FY 2019 Budget and flat with FY 2018. The bill continues to earmark $10 million within this program to partner with CDC on prescription drugs, which is flat with the FY 2019 Budget and FY 2018.

- Medication-Assisted Treatment for Prescription Drug and Opioid Addiction: The bill includes a total of $89 million, which is +$33 million above the FY 2019 Budget and +$5 million above FY 2018.
  - The report increases the set-aside to $10 million from the $5 million set-aside in FY 2018 for grants to Indian tribes, tribal organizations, or consortia.
  - The report requires SAMHSA to submit a report on medication-assisted treatment within 6 months.

- First Responder Training for Opioid Overdose Reversal Drugs: The bill includes a total of $36 million, which is +$24 million above the FY 2019 Budget and flat with FY 2018, to equip first responders with the overdose reversal drug naloxone and education on its use. Of this amount, $18 million is set-aside for rural communities.

- Pregnant and Postpartum Women: The bill includes a total of $30 million, which is +$10 million above the FY 2019 Budget and flat with FY 2018, for comprehensive residential substance use disorder treatment, prevention, and recovery support services for pregnant and postpartum women, their minor children, and services for other family members (e.g., fathers of the children).

- Grants to Prevent Prescription Drug Abuse and Opioid Overdose: The bill includes $12 million, which is flat with the FY 2019 Budget and FY 2018, for grants to prevent opioids overdose related deaths.

- Drug Abuse Warning Network: The bill includes a total of $10 million, which is -$5 million below the FY 2019 Budget and flat with FY 2018, to improve surveillance in emergency rooms.

- Building Communities of Recovery: The bill includes $6 million, which is +$3 million above the FY 2019 Budget and +$1 million above FY 2018, to continue the

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implementation and expansion of recovery support services as well as reduce stigma associated with addictions.

- **Programs Addressing Serious Mental Illness:** The bill includes a total of $1 billion in SAMHSA to address serious mental illness, which is an increase of +$152 million above the FY 2019 Budget and flat with FY 2018. In this area, the bill includes:

  - Community Mental Health Services Block Grant: The bill provides a total of $723 million for the Community Mental Health Services Block Grant (MHBG), which is +$160 million above the FY 2019 Budget and flat with FY 2018.
    - The report also continues to exclude the block grant from the PHS Evaluation Fund set-aside assessment.

  - Certified Community Behavioral Health Clinics: The bill provides a total of $150 million, which is +$150 million above the FY 2019 Budget and +$50 million above FY 2018, for grants to communities and community organizations who meet criteria for Certified Community Behavioral Health Clinics.
    - The Committee continues to direct SAMHSA to prioritize resources to entities that are already part of the demonstration under section 223(a) of the Protecting Access to Medicare Act of 2014 and to entities within States awarded planning grants.
    - The report requires SAMHSA to provide a report to the Appropriations Committees within 15 months of enactment.

  - Children's Mental Health Services: The bill includes a total of $125 million, which is +$6 million above the FY 2019 Budget and flat with FY 2018, to provide grants and technical assistance for community-based services for children with serious emotional, behavioral, or mental disorders. The Committee included the proposed set-aside for a demonstration authority to improve services to youth before their first episode of psychosis proposed in FY 2018 Budget, and directs SAMHSA to work with National Institute of Mental Health.

  - Suicide Prevention Programs: The bill includes a total of $74 million, which is +$13 million above the FY 2019 Budget and +$5 million above FY 2018, to continue supporting suicide prevention programs such as the National Strategy for Suicide Prevention: Zero Suicide. The increase is for the National Suicide Prevention Lifeline to expand and enhance access nationwide.

  - Project AWARE: The bill provides $71 million, which is +$71 million above the FY 2019 Budget and flat with FY 2018. Of the amount provided, the report continues to direct SAMHSA to use $10 million to support communities addressing the root causes of civil unrest and requests a report on progress of FY 2018 grantees within 180 days of enactment of the bill. The FY 2019 Budget discontinued this program.

  - Healthy Transitions: The bill includes $26 million, which is +$6 million above the FY 2019 Budget and flat with FY 2018, to improve access to mental disorder treatment

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and related support services for young people aged 16 to 25 who either have, or are at risk of developing, a serious mental health condition.

- Mental Health First Aid: The bill includes a total of $21 million, which is +$21 million above the FY 2019 Budget and +$1 million above FY 2018, to continue existing activities including the Mental Health First Aid training program.

- Assertive Community Treatment for Individuals with Serious Mental Illness: The bill includes $5 million, which is -$10 million below the FY 2019 Budget and flat with FY 2018, for grants to advance the Assertive Community Treatment approach to address the needs of those living with Serious Mental Illness and technical assistance and evaluation activities.

Other Mental Health:

- National Child Traumatic Stress Network: The bill provides $64 million, which is +$15 million above the FY 2019 Budget and +$10 million above FY 2018, for activities supporting the National Child Traumatic Stress Initiative. The new funding is required in law to be awarded not later than December 1, 2018, and provides +$4 million in new funding to support mental health services for unaccompanied alien children, +$3 million for mental health services for children in Puerto Rico, +$2 million for training and technical assistance on evidence-based, trauma-informed care approaches, and +$1 million for expanding access for tribal populations.

- Primary and Behavioral Health Care Integration: The bill includes $52 million, which is +$52 million above the FY 2019 Budget and flat with FY 2018, to integrate primary care and mental health care.

- Infant and Early Childhood Mental Health: The bill includes $5 million, which is +$5 million above the FY 2019 Budget and flat with FY 2018, for infant and early childhood mental health promotion, intervention, and treatment as authorized in section 10006 of the 21st Century Cures Act. The FY 2019 Budget discontinued this program.

- Criminal and Juvenile Justice Programs: The bill includes $4 million, which is -$10 million below the FY 2019 Budget and flat with FY 2018, to provide comprehensive treatment and recovery support services for adolescents and adults with co-occurring mental and substance use disorders who come into contact with the criminal justice system, as well as offenders re-entering the community.

Other Substance Abuse:

- Substance Abuse Prevention and Treatment Block Grant: The bill includes $1.9 billion, which is flat with the FY 2019 Budget and FY 2018. The bill continues to exclude the block grant from the PHS Evaluation Fund set-aside assessment.

- Criminal Justice Activities: The bill includes a total of $89 million, which is +$11 million above the FY 2019 Budget and flat with FY 2018, for programs that focus on diversion, alternatives to incarceration, drug courts, and re-entry from incarceration for adolescents and

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adults with substance use disorders and/or co-occurring substance use and mental disorders. Drug courts continue to be funded at $70 million of the total.

- Screening, Brief Intervention and Referral to Treatment: The bill includes $30 million for this program, which is +$30 million above the FY 2019 Budget and flat with FY 2018, to support primary care physicians identify individuals who misuse substances and refer to treatment. The FY 2019 Budget discontinued this program.

- Sober Truth on Preventing Underage Drinking (STOP Act): The bill includes $8 million, which is +$1 million above the FY 2019 Budget and FY 2018. This increase brings the Community-based Coalition Enhancement Grants component up to a total of $6 million.

- Drug-Free Communities: The bill does not fund this program within SAMHSA, which was proposed in the budget to be transferred from the White House Office of National Drug Control Policy (ONDCP) to SAMHSA at $100 million. SAMHSA currently administers the program under an interagency agreement with ONDCP.

Other Crosscutting Report Language:

- HIV/AIDS Programs: The bill includes a total of $164 million, which is +$116 million above the FY 2019 Budget and flat with FY 2018, to support the provision of effective, culturally competent, HIV/AIDS-related mental health services in communities for people living with or at high risk for HIV/AIDS. The FY 2019 Budget discontinued these programs.

- Program Support: The bill includes $79 million, which is +$6 million above the FY 2019 Budget and flat with FY 2018, to support administrative functions of the agency.

- Health Surveillance: The bill includes a total of $47 million, which is +$13 million above the FY 2019 Budget and flat with FY 2018, for Health Surveillance and data collection activities.

- Tribal Behavioral Health Grants: The bill includes $40 million, which is $10 million above the FY 2019 Budget and FY 2018, to support grants that promote mental health and prevent substance use activities for high-risk AI/AN youth and their families.

- Public Awareness and Support: The bill includes $13 million, which is +$2 million above the FY 2019 Budget and flat with FY 2018, to manage critical helplines, deliver publications and resources, and provide other resources to support behavioral health and other health.

- Minority Fellowship Program: The bill includes $13 million, which is +$13 million above the FY 2019 Budget and +$500,000 above FY 2018. The FY 2019 Budget discontinued this program.

- Performance and Quality Information Systems: The bill includes $10 million, which is -$3 million below the FY 2019 Budget and flat with FY 2018, to continue its performance management, quality improvement, and program evaluation activities.

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Nonrecurring Expenses Fund

The bill includes a $400 million rescission to the nonrecurring expenses fund. The final FY 2019 Budget does not include a proposed rescission to this account. OMB did propose to rescind $220 million as part of the rescission package under the Impoundment Control Act.

General Provisions

General Provisions Title II

General Provisions in FY 2019 Conference bill NOT included in the FY 2019 Budget:

Expenditure Under PHS Evaluation Fund (Sec. 203 of FY 2019 Conference Bill)—The bill maintains the requirement for the Secretary to report to Congress in advance of any tap or any use of PHS evaluation funds, other than ones directed in law.

- Enacted in FY 2018, not proposed in the FY 2019 Budget. Each year, President's Budgets propose deletion in the interest of executive flexibility. This is of low priority, since it merely required advance notification.

International Assistance—Capping Certain Staffing Details at 60 FTE (Sec. 211 of FY 2019 Conference Bill)—The bill maintains the provision capping the number of employees of the Public Health Service detailed to assist in various programs at 60.

- Enacted in FY 2018, not proposed in the FY 2019 Budget. This provision is no longer necessary, because HHS has the authority to assign these employees under §214(c) of the Public Health Service Act. This section should be deleted to promote operational efficiency and to avoid unnecessary limitations.

National Research Service Awards (Sec. 217 of FY 2019 Conference Bill)—The bill makes 1 percent of NRSA available to the HRSA for awards for research and another 1 percent of NRSA available to AHRQ for awards for health service research.

- Enacted in FY 2018, not proposed in the FY 2019 Budget. The inclusion reflects its rejection of certain budget cuts in HRSA and the consolidation of AHRQ into NIH.

ACA FTE FY 2020 CJ Reporting Requirements (Sec. 219 of FY 2019 Conference Bill)—The bill continues to require the Secretary to include in the FY 2020 budget justification added data concerning the employment of persons hired to carry out provisions of the ACA.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Exchanges Spending Reporting Requirement (Sec. 220 of the FY 2019 Conference Bill)—The bill continues to require the Secretary to include in budget justifications information that details all funds used by CMS for Health Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2020.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

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Risk Corridors "Program Management" Funding Prohibition (Sec. 221 of the FY 2019 Conference Bill)—The bill continues to prohibit funds from HI or SMI or those transferred to CMS Program Management from being used for risk corridor payments.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Prevention and Public Health Fund Transfer of Funds (Sec. 222 of the FY 2019 Conference Bill)— The bill directs HHS to transfer Prevention and Public Health funds to accounts specified in the committee report. The directed transfers total $848 million for CDC.

- Enacted in FY 2018, the FY 2019 Budget sought to allow the Executive Branch to decide PPHF allocations.

NIH Indirect Cost Rate (Sec. 224 of the FY 2019 Conference Bill)—The bill prevents the imposition of a 10 percent indirect cost cap, which was proposed in the NIH FY 2018 Budget to be placed on NIH research grants. NIH would need to continue to use the government-wide negotiated indirect cost rates.

- After the enactment of this general provision in FY 2018, the FY 2019 Budget did not speak to this item, neither seeking the cap proposed in the FY 2018 Budget nor proposing the language preventing such a cap in the FY 2018 omnibus.

NIH Opioid Transfer (Sec. 225 of the FY 2019 Conference Bill)—The bill allows NIH to transfer funds specifically appropriated for opioid related purposes to other Institutes and Centers within NIH upon notifying Congress. OGC review is required to determine if this authority applies to any of NIH's FY 2019 appropriations.

- Enacted in FY 2018 and not proposed in the FY 2019 Budget.

Reporting of Monthly Enrollment Information and Grant Awards (Sec. 226 of the FY 2019 Conference Bill)—The bill continues the requirement for HHS to report the appropriations committees monthly enrollment figures for Health Insurance Exchanges and grant awards authorized under section 330 of the PHS Act.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Additional $305 Million Available for "Program Management" (Sec. 227 of the FY 2019 Conference Bill)—The bill permits the transfer of $305 million from the HI and SMI trust funds to CMS Program Management for activity related to Medicare. Transferred funds may not be used to support any provision of the ACA.

- Enacted in FY 2018, not proposed in the FY 2019 Budget, because the Budget included funding sufficient to meet CMS's needs.

HHS Staff Reporting (Sec. 229 of the FY 2019 Conference Bill)—The bill requires HHS to submit to the appropriations committees a monthly staffing report including the names, titles, grades, agencies, and divisions of all of the political appointees, special government employees, and detailees that were employed by or assigned to the HHS during the previous month.

- This provision is new language that was not included in the FY 2018 Omnibus, nor was it proposed in the FY 2019 Budget.

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UAC Gift Authority (Sec. 232 of the FY 2019 Conference Bill)—The bill allows HHS to accept donations for the care of unaccompanied alien children. Per OGC, the donations include items and services but not cash.

- This provision is new language that was not included in the FY 2018 enacted language, nor was it proposed in the FY 2019 Budget.

Separated Children Reunification Plan (Sec. 233 of the FY 2019 Conference Bill)—The bill requires HHS to submit a plan for the reunification of all children separated from their parents and placed in ORR custody. If the plan is not submitted to Congress by November 15, 2018, the provision prohibits non-congressionally directed NEF expenditures until the plan is submitted.

- This provision is new language that was not included in the FY 2018 enacted language, nor was it proposed in the FY 2019 Budget.

UAC Congressional Oversight (Sec. 234 of the FY 2019 Conference Bill)—The bill prohibits the use of appropriated funds for preventing congressional oversight visits to any facility in the United States used for housing unaccompanied children.

- This provision is new language that was not included in the FY 2018 enacted language, nor was it proposed in the FY 2019 Budget.

General Provisions in the FY 2019 Conference bill MODIFIED in the FY 2019 Budget:

Executive Pay (Sec. 202 of the FY 2019 Conference Bill)—The bill maintains the current limitation on grants salaries at Executive Level II.

- Enacted in FY 2018. The FY 2019 Budget proposed to reduce the limitation to Executive Level V (other than Head Start).

Amount for PHS Evaluation Funds (Sec. 204 of the FY 2019 Conference Bill)—The bill sets the PHS Evaluation tap at 2.5 percent.

- Enacted in FY 2018 at 2.5 percent, FY 2018 Budget proposed at 2.9 percent.

Federal Emergency Response Fund (Sec. 220 of the FY 2019 Conference Bill)—The bill creates permanently the Infectious Diseases Rapid Response Reserve Fund and makes $50 million of funds appropriated in the "CDC-Wide Activities and Program Support" no year and available for deposit into the Reserve Fund. Amounts in the Reserve Fund are available to prevent, prepare for, or respond to an infectious disease emergency, and, upon providing notice to Congress, these amounts may be transferred to other accounts of CDC, NIH, or PHSSEF for activities related to these purposes. This provision is analogous to a general provision in the FY 2019 Budget that would have created the Federal Emergency Response Fund.

- Not enacted in FY 2018.

New General Provisions proposed in the FY 2019 Budget INCLUDED in FY 2019 Conference bill:

Travel Expenses for Employee Medical Care During a Public Health Emergency (Sec. 219 of the FY 2019 Conference Bill)—The bill allows for amounts appropriated for salaries and expenses to be used to pay travel expenses of any employee (or of a member of his or her family) who is on

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duty responding to a public health emergency in the United States or a U.S. Territory when the travel is necessary to obtain medical care that cannot be addressed in the duty location.

New General Provisions proposed in the FY 2019 Budget NOT included in FY 2019 Conference bill:

Reimbursable Agreements Created by Heads of Department Units—This provision would have simplified the accounting procedures used in transactions between OPDIVs, and provided new authority for cooperative work with other departments.

Administering Prior Year Obligations from Terminated Programs—The Budget proposed a single general provision to authorize the use of appropriations for the costs of closing out terminated programs. The bill accomplished this goal by, for any program or activity it did not fund, ensuring that such program or activity received administrative funding to cover close out costs.

CMS Survey Revisit Fee—The Budget would have allowed CMS to charge user fees to post-acute care centers while also limiting the financial burden the agency incurred in fostering that improvement by creating a new revenue source for HHS to complete work outside of CMS's discretionary appropriation.

340B Regulatory Authority—The Budget would have established an audit requirement for entities covered under section 340B of the PHS Act and directed HHS to promulgate regulations to carry out section 340B.

ACL Program Flexibility—The Budget would have allowed states or tribal organizations receiving grants under title III or VI of the Older Americans Act to move the grant funds received between allowable programs under those titles.

Improvements on Adjacent Properties—The Budget would have allowed funds available for acquisition of real property, construction, or improvement of facilities to be used to make improvements on property directly adjacent to Federally owned property. This language is of particular importance to NIOSH for the Cincinnati Campus Consolidation.

NIH Principal Investigator Salary Restriction—The Budget would have restricted any principal investigator on a grant or cooperative agreement funded by NIH from receiving more than 90 percent of his or her salary from NIH funds.

Territory Schooling—The Budget would have allowed funding for the primary and secondary schooling of dependents of HHS personnel stationed U.S. territories.

Research Policy Board—The Budget would have allowed NIH to use funds to establish and operate the Research Policy Board authorized in the 21st Century Cures Act (and delegated originally to OMB).

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General Provisions Title V

General Provisions in the FY 2019 Conference bill NOT included in the FY 2019 Budget:

Continued Prohibition on Transfers to other Departments Unless Authorized in Appropriations Acts (Sec. 512 of FY 2019 Conference Bill)—The bill continues to prohibit transfers to any departments unless authorized in the Act or other Appropriations Acts.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Notification Requirements for Reprogramming and Reorganizations (Sec. 514 of FY 2019 Conference Bill)—The bill maintains statutory advance notification requirements for reprogramming and reorganizations.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Requirement to Submit Operating Plans (Sec. 516 of FY 2019 Conference Bill)—The bill continues to require each department funded by the Act to submit operating plans within 45 days of enactment of the Act.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Report of Non-Competitive Contracts and Grants (Sec. 517 of FY 2019 Conference Bill)—The bill mandates the Secretary to submit reports to Congress on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Prohibits Funding ACORN or Its Affiliates or Subsidiaries (Sec. 521 of FY 2019 Conference Bill) —The bill continues to prohibit funding of ACORN through any appropriations made in this Act. This provision does not have any effect, since ACORN does not exist, and there are no continuing affiliates or subsidiaries.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Simplified Oversight of Conferences (Sec. 522 of FY 2019 Conference Bill)—This provision enables HHS to carry out its conference spending review process at the OPDIV level, rather than having to sum up the expenses for an individual conference across all OPDIVs before determining whether to approve them. This moderates the effect of a government-wide provision in the Financial Services bill.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Requirement that Communications State Clearly They are Federally Funded (Sec. 523 of FY 2019 Conference Bill)—The bill mandates that any HHS advertising or communications make clear they are funded at U.S. taxpayer expense.

- Enacted in FY 2018, not proposed in the FY 2019 Budget.

Quarterly Financial Reporting (Sec. 525 of FY 2019 Conference Bill)—The bill mandates HHS to produce quarterly reports on the status of balances of appropriations.

- Enacted in FY 2018, not proposed in the FY 2019 Budget (this previously enacted requirement already has permanent effect).

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General Provisions in the FY 2019 Conference bill MODIFIED in the FY 2019 Budget:

Authorizes "Performance Partnership Pilot" for FY 2019 (Sec. 524 of the FY 2019 Conference Bill)—The Bill permits federal agencies to use Federal discretionary funds on 10 Performance Partner Pilots. The Conference bill language mirrors the language enacted in FY 2018 and contains authority to extend operations at current pilot sites by up to five additional years.

- Enacted in FY 2018, proposed in the FY 2019 Budget without the five-year continuation authority.

New General Provisions proposed in the FY 2019 Budget NOT included in FY 2019 Conference bill:

Evaluation Funding Flexibility Pilot—This provision would have provided ACF and ASPE with a source of funds with extended period availability for research, evaluation, and statistical purposes.

Prohibition on Funding to Organizations that Perform Abortions and Receive Title X Grant Funds—This provision would have prohibited funds from being made available to community provider organization that both perform abortions and received title X grant funds in FY 2017 in excess of $23 million. This provision would only apply to Planned Parenthood.

Rescissions:

NEF Rescission (Sec. 228 of the FY 2019 Conference Bill)—The bill rescinds $400 million from the Nonrecurring Expenses Fund.

- This provision is new language that was not included in the FY 2018 enacted language, nor was it proposed in the FY 2019 Budget.

CHIMPS and Rescissions:

The FY 2019 bill includes $7.7 billion in Changes in Mandatory Programs (CHIMPs) from the Children's Health Insurance Program (CHIP). CMS currently estimates that there is sufficient funding available such that none of the proposed rescissions would affect operations of the CHIP program. The CHIMP funding comes from two separate pots:

- Annual CHIP Allotments to States: First, the bill includes a permanent rescission of $2.1 billion from the FY 2019 annual appropriation for state CHIP allotments, out of any funding unobligated as of September 25, 2019. Currently, CMS projects that it will obligate $18.3 billion of the $22.6 billion appropriated, leaving $4.3 billion unobligated at the end of FY 2019. While this total is subject to change, the $2.2 billion remaining post rescission will be sufficient to cover any unanticipated increases in allotments during FY 2019.

- Child Enrollment Contingency Fund: The total CHIMP also includes $5.6 billion from the Contingency Fund. This includes approximately $5.5 billion in unused funding

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carried over into FY 2019, as well as approximately $100 million in interest expected to accrue on this funding while invested during FY 2019. All of this funding will be made temporarily unavailable for obligation during FY 2019 but will "pop up" or become available in FY 2020 at which point the Congress could CHIMP these funds again. CMS will also receive a new deposit of 20 percent of the FY 2019 allotments appropriation, totaling $4.5 billion, which should be more than sufficient to cover any potential shortfall payments during the year.

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From:	Moughalian, Jen (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A1EC840C6A2D4ADBBC91E420A23C7EAF-MOUGHALIAN,>
To:	Cochran, Norris (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f76f7dccd5ea4c7598a7a7df07ed5db4-Cochran, No>; Burbank, Nick (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1d01164e05b34f03b6afae46438a527f-Burbank, Ni>
CC:	Curtis, Jillian (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1494bbf324b43f4a1ee93d3a598d7c6-Curtis, Jil>; Donley, Katherine (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8ed1e73028274b5dbeb903acca0885e0-Donley, Kat>; Clapham, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e1a3d9abc54745aa856c5a07c5c63399-Clapham, St>; Walcavich, Tyler (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0c85e9b8fcaf46808a7dbf56c06569cd-Walcavich,>; Bernier, Michael (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usercd442381>
Subject:	RE: Draft FY 19 UAC Decision Memo
Date:	2018/10/04 21:51:00
Priority:	Normal
Type:	Note

Apologies. I attached the wrong document. Please use this version.

From: Moughalian, Jen (HHS/ASFR)
Sent: Thursday, October 4, 2018 9:38 PM
To: Cochran, Norris (HHS/ASFR) <norris.cochran@hhs.gov>; Burbank, Nick (HHS/ASFR) <Nick.Burbank@HHS.GOV>
Cc: Curtis, Jillian (HHS/ASFR) <Jillian.Curtis@hhs.gov>; Donley, Katherine (HHS/ASFR) <Katherine.Donley@hhs.gov>; Clapham, Stephen (OS/ASFR) <Stephen.Clapham@hhs.gov>; Walcavich, Tyler (HHS/ASFR) <Tyler.Walcavich@hhs.gov>; Bernier, Michael (HHS/ASFR) <Michael.Bernier@hhs.gov>
Subject: RE: Draft FY 19 UAC Decision Memo

Thanks Norris. (b)(5)
(b)(5)
(b)(5)

Let me know if you have questions. Thanks

From: Cochran, Norris (HHS/ASFR)
Sent: Thursday, October 4, 2018 6:05 PM
To: Burbank, Nick (HHS/ASFR) <Nick.Burbank@HHS.GOV>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>
Cc: Curtis, Jillian (HHS/ASFR) <Jillian.Curtis@hhs.gov>; Donley, Katherine (HHS/ASFR) <Katherine.Donley@hhs.gov>; Clapham, Stephen (OS/ASFR) <Stephen.Clapham@hhs.gov>; Walcavich, Tyler (HHS/ASFR) <Tyler.Walcavich@hhs.gov>; Bernier, Michael (HHS/ASFR) <Michael.Bernier@hhs.gov>; Zuco, Paola (OS/ASFR) <Paola.Zuco@hhs.gov>
Subject: RE: Draft FY 19 UAC Decision Memo

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Thank you, Nick. (b)(5)

(b)(5)

(b)(5) Thank you!

(b)(5)

(b)(5)

(b)(5)

From: Burbank, Nick (HHS/ASFR)
Sent: Thursday, October 04, 2018 3:07 PM
To: Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>
Cc: Cochran, Norris (HHS/ASFR) <norris.cochran@hhs.gov>; Curtis, Jillian (HHS/ASFR) <Jillian.Curtis@hhs.gov>; Donley, Katherine (HHS/ASFR) <Katherine.Donley@hhs.gov>; Clapham, Stephen (OS/ASFR) <Stephen.Clapham@hhs.gov>; Walcavich, Tyler (HHS/ASFR) <Tyler.Walcavich@hhs.gov>; Bernier, Michael (HHS/ASFR) <Michael.Bernier@hhs.gov>; Zuco, Paola (OS/ASFR) <Paola.Zuco@hhs.gov>
Subject: Draft FY 19 UAC Decision Memo

Hi Jen: Attached is a draft decision memo from you to the Secretary recommending (b)(5)

(b)(5)

(b)(5)

(b)(5)

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Sender:	Moughalian, Jen (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

AMERICAN OVERSIGHT

	(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A1EC840C6A2D4ADBBC91E420A23C7EAF-MOUGHALIAN,>
Recipient:	Cochran, Norris (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f76f7dccd5ea4c7598a7a7df07ed5db4-Cochran, No>; Burbank, Nick (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1d01164e05b34f03b6afae46438a527f-Burbank, Ni>; Curtis, Jillian (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1494bbf324b43f4a1ee93d3a598d7c6-Curtis, Jil>; Donley, Katherine (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8ed1e73028274b5dbeb903acca0885e0-Donley, Kat>; Clapham, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e1a3d9abc54745aa856c5a07c5c63399-Clapham, St>; Walcavich, Tyler (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0c85e9b8fcaf46808a7dbf56c06569cd-Walcavich,>; Bernier, Michael (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usercd442381>
Sent Date:	2018/10/05 06:40:19
Delivered Date:	2018/10/04 21:51:00

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From:	Moughalian, Jen (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A1EC840C6A2D4ADBBC91E420A23C7EAF-MOUGHALIAN,>
To:	Waskiewicz, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c15d9127fb474caf9ee6e0f571616a3b-Waskiewicz,>
Subject:	FW: For Review: Comprehensive Summary of FY 2019 LHHS Final Bill
Date:	2018/10/02 20:22:00
Priority:	Normal
Type:	Note

(b)(5) thx

From: O'Keefe, Erin (HHS\ASFR)
Sent: Tuesday, October 2, 2018 12:09 PM
To: Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Waskiewicz, Stephen (OS/ASFR) <Stephen.Waskiewicz@hhs.gov>
Cc: Cochran, Norris (HHS/ASFR) <norris.cochran@hhs.gov>; Donley, Katherine (HHS/ASFR) <Katherine.Donley@hhs.gov>; Wade, Jennifer (HHS/ASFR) <Jennifer.Wade@hhs.gov>; Zuco, Paola (OS/ASFR) <Paola.Zuco@hhs.gov>; Tareen, Misbah (HHS/ASFR) <Misbah.Tareen@hhs.gov>; Webb, Elizabeth (HHS/ASFR) <Elizabeth.Webb@hhs.gov>
Subject: For Review: Comprehensive Summary of FY 2019 LHHS Final Bill

Jen and Steve,

Please find the Comprehensive Summary of the FY 2019 LHHS Bill attached for your review.

Thank you,
Erin

Erin O'Keefe Mueller
Chief, Budget and Performance Policy Branch
ASFR/Office of Budget
Department of Health and Human Services
202-690-8223
erin.okeefe@hhs.gov

Sender:	Moughalian, Jen (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A1EC840C6A2D4ADBBC91E420A23C7EAF-MOUGHALIAN,>
Recipient:	Waskiewicz, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c15d9127fb474caf9ee6e0f571616a3b-Waskiewicz,>
Sent Date:	2018/10/02 20:22:09
Delivered Date:	2018/10/02 20:22:00

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From:	Moughalian, Jen (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A1EC840C6A2D4ADBBC91E420A23C7EAF-MOUGHALIAN,>
To:	Tareen, Misbah (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433711cd03094e488c2e469493a690c5-Tareen, Mis>; Webb, Elizabeth (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e09fd0f0846145cdb0fa90f4372d85d8-Webb, Eliza>
Subject:	FW: For Review: Comprehensive Summary of FY 2019 LHHS Final Bill
Date:	2018/10/03 11:32:00
Priority:	Normal
Type:	Note

Could you print this double sided and put it in my book tonight? thanks

From: O'Keefe, Erin (HHS\ASFR)
Sent: Tuesday, October 2, 2018 12:09 PM
To: Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Waskiewicz, Stephen (OS/ASFR) <Stephen.Waskiewicz@hhs.gov>
Cc: Cochran, Norris (HHS/ASFR) <norris.cochran@hhs.gov>; Donley, Katherine (HHS/ASFR) <Katherine.Donley@hhs.gov>; Wade, Jennifer (HHS/ASFR) <Jennifer.Wade@hhs.gov>; Zuco, Paola (OS/ASFR) <Paola.Zuco@hhs.gov>; Tareen, Misbah (HHS/ASFR) <Misbah.Tareen@hhs.gov>; Webb, Elizabeth (HHS/ASFR) <Elizabeth.Webb@hhs.gov>
Subject: For Review: Comprehensive Summary of FY 2019 LHHS Final Bill

Jen and Steve,

Please find the Comprehensive Summary of the FY 2019 LHHS Bill attached for your review.

Thank you,
Erin

Erin O'Keefe Mueller
Chief, Budget and Performance Policy Branch
ASFR/Office of Budget
Department of Health and Human Services
202-690-8223
erin.okeefe@hhs.gov

Sender:	Moughalian, Jen (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A1EC840C6A2D4ADBBC91E420A23C7EAF-MOUGHALIAN,>
Recipient:	Tareen, Misbah (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433711cd03094e488c2e469493a690c5-Tareen, Mis>; Webb, Elizabeth (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e09fd0f0846145cdb0fa90f4372d85d8-Webb, Eliza>
Sent Date:	2018/10/03 11:32:15
Delivered Date:	2018/10/03 11:32:00

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From:	<Jen.Moughalian@hhs.gov>
Subject:	FY2020 Senate Finance Committee Azar QFRs DRAFT.docx
Date:	2019/05/20 15:51:57
Priority:	Normal
Type:	Note

Sender:	<Jen.Moughalian@hhs.gov>
Sent Date:	2019/05/20 15:51:53
Delivered Date:	2019/05/20 15:51:57
Message Flags:	Unsent

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Confidential Pre-decisional Draft

AMERICAN OVERSIGHT

From:	Wynne, Maggie (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AAB414D065764E13BAF66A6F66B299AB-WYNNE, MARG>
To:	Sexton, Taylor (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d9489634c5d949a1abf2f63b788fa813-Sexton, Tay>; OS GCL, EMAIL (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bda789df1c6d48bba4c05d0cfae04fec-OSEMAILGCL>; O'Brien, John (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>; Brady, Will (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fa197652dadf4048ad6764b3f9d4a528-Brady, Will>; Waskiewicz, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c15d9127fb474caf9ee6e0f571616a3b-Waskiewicz,>; Kemper, Laura (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=791ce12e99e9408e946dc9b605b56a17-Kemper, Lau>; Pence, Laura (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1027e80d2334093870fdb436c5576cd-Pence, Laur>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7ac2e66aa043a6b7cb2eaaf967ffa3-Parker, Jam>; Giroir, Brett (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a56fce4755704c4ca031d621b46fd6f7-Girori, Bre>; Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>
CC:	Arbes, Sarah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=106db0ac70a241a8b1323647c093d9bf-Arbes, Sara>; Morse, Sara (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb3a04f7dbde41049bfd10f490d3e178-Morse, Sara>; Armstrong, Rebekah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=77ef5bf94d434250a362f9f2f07df748-Armstrong,>; Aramanda, Alec (OS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=da8391d1f5bf4428b63d6a7b95884b6b-Aramanda, A>; Harrison, Ann Marie (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b6be9c73740421eb5591f07ed5964b6-Harrison, A>; ASPEClearances (OS/ASPE) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cf3f4d4b8bb14f94afaaec20ef09fab2-ASPEClearan>; Valentine, Steven (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fd508090f8984b1caf04069bc6000dc2-Valentine,>
Subject:	RE: Ed and Workforce QFR Clearance
Date:	2018/11/14 18:38:18
Priority:	Normal
Type:	Note

Taylor,

Edits and comments from me appear in the attached version.

Thanks,
Maggie

Deliberative and pre-decisional communication

AMERICAN OVERSIGHT

From: Sexton, Taylor (HHS/ASL)
Sent: Wednesday, November 14, 2018 4:53 PM
To: OS GCL, EMAIL (HHS/OGC) <EMAIL.GCL@HHS.GOV>; O'Brien, John (HHS/IOS) <John.Obrien@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Brady, Will (HHS/IOS) <William.Brady@hhs.gov>; Waskiewicz, Stephen (OS/ASFR) <Stephen.Waskiewicz@hhs.gov>; Kemper, Laura (HHS/ASL) <Laura.Kemper@hhs.gov>; Wynne, Maggie (HHS/IOS) <Margaret.Wynne@hhs.gov>; Pence, Laura (HHS/IOS) <Laura.Pence@hhs.gov>; Parker, Jim (HHS/IOS) <Jim.Parker@hhs.gov>; Giroir, Brett (HHS/OASH) <Brett.Giroir@hhs.gov>; Stannard, Paula (HHS/IOS) <Paula.Stannard@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>; Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>; Armstrong, Rebekah (HHS/ASL) <Rebekah.Armstrong@hhs.gov>; Aramanda, Alec (OS/ASL) <Alexander.Aramanda@hhs.gov>; Harrison, Ann Marie (HHS/ASL) <Annmarie.Harrison@hhs.gov>; ASPEClearances (OS/ASPE) <ASPEClearances@hhs.gov>; Valentine, Steven (HHS/OASH) <Steven.Valentine@hhs.gov>
Subject: RE: Ed and Workforce QFR Clearance

Just a reminder, please provide any comments before tomorrow.

These QFRs are set to go out for OMB review tomorrow (b)(5)
(b)(5)

Thanks,
--
Taylor

<< File: June 6 Ed and Workforce COMBINED all Divisions - ASPE edits.docx >>

From: Sexton, Taylor (HHS/ASL)
Sent: Friday, November 9, 2018 10:13 AM
To: ASPEClearances (OS/ASPE) <ASPEClearances@hhs.gov>; OS GCL, EMAIL (HHS/OGC) <EMAIL.GCL@HHS.GOV>; O'Brien, John (HHS/IOS) <John.Obrien@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Brady, Will (HHS/IOS) <William.Brady@hhs.gov>; Waskiewicz, Stephen (OS/ASFR) <Stephen.Waskiewicz@hhs.gov>; Kemper, Laura (HHS/ASL) <Laura.Kemper@hhs.gov>; Wynne, Maggie (HHS/IOS) <Margaret.Wynne@hhs.gov>; Pence, Laura (HHS/IOS) <Laura.Pence@hhs.gov>; Parker, Jim (HHS/IOS) <Jim.Parker@hhs.gov>; Giroir, Brett (HHS/OASH) <Brett.Giroir@hhs.gov>; Stannard, Paula (HHS/IOS) <Paula.Stannard@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>; Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>; Armstrong, Rebekah (HHS/ASL) <Rebekah.Armstrong@hhs.gov>; Aramanda, Alec (OS/ASL) <Alexander.Aramanda@hhs.gov>; Harrison, Ann Marie (HHS/ASL) <Annmarie.Harrison@hhs.gov>
Subject: Ed and Workforce QFR Clearance

Good Morning,

AMERICAN OVERSIGHT

Please see the attached draft QFRs from the Committee on Education and the Workforce hearing on "Examining the Policies and Priorities of the U.S. Department of Health and Human Services." Please let me know if you would like me to send this to additional people in your division.

We have a tight turnaround since all QFRs must be submitted prior to the end of this Congress. Please provide any comments and track changes by **Wednesday, November 14th**.

Thank you!
--
Taylor
202-805-5863

<< File: June 6 Ed and Workforce COMBINED all Divisions.docx >>

Sender:	Wynne, Maggie (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AAB414D065764E13BAF66A6F66B299AB-WYNNE, MARG>
Recipient:	Sexton, Taylor (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d9489634c5d949a1abf2f63b788fa813-Sexton, Tay>; OS GCL, EMAIL (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bda789df1c6d48bba4c05d0cfae04fec-OSEMAILGCL>; O'Brien, John (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>; Brady, Will (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fa197652dadf4048ad6764b3f9d4a528-Brady, Will>; Waskiewicz, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c15d9127fb474caf9ee6e0f571616a3b-Waskiewicz,>; Kemper, Laura (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=791ce12e99e9408e946dc9b605b56a17-Kemper, Lau>; Pence, Laura (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1027e80d2334093870fdb436c5576cd-Pence, Laur>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7ac2e66aa043a6b7cb2eaaf967ffa3-Parker, Jam>; Giroir, Brett (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a56fce4755704c4ca031d621b46fd6f7-Girori, Bre>; Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>; Arbes, Sarah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=106db0ac70a241a8b1323647c093d9bf-Arbes, Sara>; Morse, Sara (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb3a04f7dbde41049bfd10f490d3e178-Morse, Sara>; Armstrong, Rebekah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=77ef5bf94d434250a362f9f2f07df748-Armstrong,>; Aramanda, Alec (OS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=da8391d1f5bf4428b63d6a7b95884b6b-Aramanda, A>; Harrison, Ann Marie (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b6be9c73740421eb5591f07ed5964b6-Harrison, A>; ASPEClearances (OS/ASPE) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cf3f4d4b8bb14f94afaaec20ef09fab2-ASPEClearan>; Valentine, Steven (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fd508090f8984b1caf04069bc6000dc2-Valentine,>
Sent Date:	2018/11/14 18:38:11
Delivered Date:	2018/11/14 18:38:18

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From:	Stannard, Paula (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F0892A057F83497E9390288C813B61D9-STANNARD, P>
To:	Morse, Sara (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb3a04f7dbde41049bfd10f490d3e178-Morse, Sara>; O'Brien, John (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; McGuffee, Tyler Ann (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=46b2c1a313054deaa8b1fe1d6bb674df-McGuffee, T>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7ac2e66aa043a6b7cb2eaaf967ffa3-Parker, Jam>; Uehlecke, Nicholas (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=28c03fceb7a34a1da29be85d1a74daf0-Uehlecke, N>; Steele, Danielle (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38849c1f1ea74f2eb9eff75b531a9544-Steele, Dan>; Caliguiri, Laura (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a0ebcd820024c21b29cf87d3a05ff4d-Caliguiri,>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>; Shuy, Caitrin (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1f12cde7b4764f1aad8b20c0dceae0a7-Shuy, Caitr>; Anger, Amanda (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d58f2094b08f4a33b77cd0feea72069e-Anger, Aman>; Charrow, Robert (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=00531138af454ce3ac0b5885bead345f-Charrow, Ro>; Stimson, Brian (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=338aa495176d4c92bb314f8f3f51d118-Stimson, Br>; Chang, William (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3cf70c842da144ab9bee61f353d932a0-Chang, Will>; White, Caroline (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=755298af43a64d6c92b600e5d8b7d76a-White, Caro>
CC:	Arbes, Sarah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=106db0ac70a241a8b1323647c093d9bf-Arbes, Sara>; Roskey, Colin (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d345ec7da3314a588fe01da1dbe54788-Roskey, Col>; Pence, Laura (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1027e80d2334093870fdb436c5576cd-Pence, Laur>; Bradway, Courtney (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1dc2091f111a4f09bbecdf41dea697c8-Bradway, Co>; Harrison, Brian (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d145efc9c35c4865aca6e9d47786b204-Harrison, B>; Urbanowicz, Peter (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c2582ea190224a01b152935657ba9ff7-Urbonowicz,>; Oakley, Caitlin B. (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e5ee4c35534c4af9bdac46789c034790-Oakley, Cai>; Murphy, Ryan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=314e69c69a844b47bdd9f74bc60a8d44-Murphy, Rya>; Brennan, Patrick (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b51c3d9a49fd4882951eca2417c19dcf-Brennan, Pa>; Dareshori, Zack (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a4e07b941ed04118ab39d2f6e3f2392c-Dareshori,>
Subject:	RE: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT
Date:	2019/05/20 16:54:58
Priority:	Normal
Type:	Note

(b)(5)

AMERICAN OVERSIGHT

Paula

From: Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>
Sent: Monday, May 20, 2019 3:23 PM
To: O'Brien, John (HHS/IOS) <John.Obrien@hhs.gov>; McGuffee, Tyler Ann (HHS/IOS) <Tylerann.McGuffee@hhs.gov>; Parker, Jim (HHS/IOS) <Jim.Parker@hhs.gov>; Uehlecke, Nicholas (HHS/IOS) <Nicholas.Uehlecke@hhs.gov>; Steele, Danielle (HHS/IOS) <Danielle.Steele@hhs.gov>; Caliguiri, Laura (HHS/IOS) <Laura.Caliguiri@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>; Anger, Amanda (HHS/ASFR) <Amanda.Anger@hhs.gov>; Charrow, Robert (HHS/OGC) <Robert.Charrow@hhs.gov>; Stimson, Brian (HHS/OGC) <Brian.Stimson@hhs.gov>; Chang, William (HHS/OGC) <William.Chang@hhs.gov>; White, Caroline (HHS/OGC) <Caroline.White@hhs.gov>; Stannard, Paula (HHS/IOS) <Paula.Stannard@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>; Roskey, Colin (HHS/ASL) <Colin.Roskey@hhs.gov>; Pence, Laura (HHS/ASL) <Laura.Pence@hhs.gov>; Bradway, Courtney (HHS/ASL) <Courtney.Bradway@hhs.gov>; Harrison, Brian (HHS/IOS) <Brian.Harrison@hhs.gov>; Urbanowicz, Peter (HHS/IOS) <Peter.Urbanowicz@hhs.gov>; Oakley, Caitlin B. (OS/ASPA) <Caitlin.Oakley@HHS.GOV>; Murphy, Ryan (OS/ASPA) <Ryan.Murphy1@hhs.gov>; Brennan, Patrick (OS/ASPA) <Patrick.Brennan@hhs.gov>; Dareshori, Zack (HHS/IOS) <Zachary.Dareshori@hhs.gov>
Subject: RE: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

Good afternoon,
ASL has not yet received clearance for the Secretary's SFC QFRs from you/your division.
(b)(5)
(b)(5) Please respond at your earliest convenience to let me know when we can expect your reply.
Thank you very much,
Sara

<< File: FY2020 Senate Finance Committee Azar QFRs DRAFT.docx >>

From: Morse, Sara (HHS/ASL)
Sent: Wednesday, May 15, 2019 5:48 PM
To: O'Brien, John (HHS/ASPE) <John.Obrien@hhs.gov>; McGuffee, Tyler Ann (HHS/IOS) <Tylerann.McGuffee@hhs.gov>; Parker, Jim (HHS/IOS) <Jim.Parker@hhs.gov>; Uehlecke, Nicholas (HHS/IOS) <Nicholas.Uehlecke@hhs.gov>; Brett Giroir (HHS/OASH) (Brett.Giroir@hhs.gov) <Brett.Giroir@hhs.gov>; Harder, Kristina (HHS/IOS) <Kristina.Harder@hhs.gov>; Wynne, Maggie (HHS/IOS) <Margaret.Wynne@hhs.gov>; Steele, Danielle (HHS/IOS) <Danielle.Steele@hhs.gov>; Caliguiri, Laura (HHS/IOS) <Laura.Caliguiri@hhs.gov>; Brady, Will (HHS/IOS) <William.Brady@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>; Anger, Amanda (HHS/ASFR) <Amanda.Anger@hhs.gov>; Robert Charrow (HHS/OGC) (Robert.Charrow@hhs.gov) <Robert.Charrow@hhs.gov>; Stimson, Brian (HHS/OGC) <Brian.Stimson@hhs.gov>; Chang, William (HHS/OGC) <William.Chang@hhs.gov>; White,

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Caroline (HHS/OGC) <Caroline.White@hhs.gov>; Harrison, Brian (HHS/IOS) <Brian.Harrison@hhs.gov>; Urbanowicz, Peter (HHS/IOS) <Peter.Urbanowicz@hhs.gov>; Oakley, Caitlin B. (OS/ASPA) <Caitlin.Oakley@HHS.GOV>; Murphy, Ryan (OS/ASPA) <Ryan.Murphy1@hhs.gov>; Brennan, Patrick (OS/ASPA) <Patrick.Brennan@hhs.gov>; Stannard, Paula (HHS/IOS) <Paula.Stannard@hhs.gov>; Boehler, Adam (CMS/OA) <adam.boehler@cms.hhs.gov>; Fulmer, Brendan (HHS/IOS) <Brendan.Fulmer@hhs.gov>; Dareshori, Zack (HHS/IOS) <Zachary.Dareshori@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>; Roskey, Colin (HHS/ASL) <Colin.Roskey@hhs.gov>; Pence, Laura (HHS/ASL) <Laura.Pence@hhs.gov>; Bradway, Courtney (HHS/ASL) <Courtney.Bradway@hhs.gov>
Subject: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

Good afternoon,
Attached please find for your review the Secretary's Senate Finance Committee Budget hearing QFRs sorted by topic. Please review and provide edits no later than **10am on Monday (5/20).**
Please let me know if you have any questions, or would like any additional information.
Thank you very much,
Sara

<< File: FY2020 Senate Finance Committee Azar QFRs DRAFT.docx >>
Confidential Pre-decisional Draft *

****

Sara Morse
Deputy Assistant Secretary for Legislation,
Congressional Liaison & Mandatory Health
U.S. Department of Health and Human Services
202-260-7005
(b)(6) cell)
Sara.Morse@hhs.gov

Sender:	Stannard, Paula (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F0892A057F83497E9390288C813B61D9-STANNARD, P>
Recipient:	Morse, Sara (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb3a04f7dbde41049bfd10f490d3e178-Morse, Sara>; O'Brien, John (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; McGuffee, Tyler Ann (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=46b2c1a313054deaa8b1fe1d6bb674df-McGuffee, T>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group

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Sent Date:	2019/05/20 16:54:54
Delivered Date:	2019/05/20 16:54:58
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From:	Sexton, Taylor (HHS/ASL) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D9489634C5D949A1ABF2F63B788FA813-SEXTON, TAY>
To:	ASPEClearances (OS/ASPE) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cf3f4d4b8bb14f94afaaec20ef09fab2-ASPEClearan>; OS GCL, EMAIL (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bda789df1c6d48bba4c05d0cfae04fec-OSEMAILGCL>; O'Brien, John (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>; Brady, Will (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fa197652dadf4048ad6764b3f9d4a528-Brady, Will>; Waskiewicz, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c15d9127fb474caf9ee6e0f571616a3b-Waskiewicz,>; Kemper, Laura (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=791ce12e99e9408e946dc9b605b56a17-Kemper, Lau>; Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>; Pence, Laura (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1027e80d2334093870fdb436c5576cd-Pence, Laur>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7ac2e66aa043a6b7cb2eaaf967ffa3-Parker, Jam>; Giroir, Brett (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a56fce4755704c4ca031d621b46fd6f7-Girori, Bre>; Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>
CC:	Arbes, Sarah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=106db0ac70a241a8b1323647c093d9bf-Arbes, Sara>; Morse, Sara (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb3a04f7dbde41049bfd10f490d3e178-Morse, Sara>; Armstrong, Rebekah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=77ef5bf94d434250a362f9f2f07df748-Armstrong,>; Aramanda, Alec (OS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=da8391d1f5bf4428b63d6a7b95884b6b-Aramanda, A>; Harrison, Ann Marie (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b6be9c73740421eb5591f07ed5964b6-Harrison, A>
Subject:	Ed and Workforce QFR Clearance
Date:	2018/11/09 10:13:23
Priority:	Normal
Type:	Note

Good Morning,

Please see the attached draft QFRs from the Committee on Education and the Workforce hearing on "Examining the Policies and Priorities of the U.S. Department of Health and Human Services." Please let me know if you would like me to send this to additional people in your division.

We have a tight turnaround since all QFRs must be submitted prior to the end of this Congress. Please provide any comments and track changes by **Wednesday, November 14th**.

Thank you!

--

AMERICAN OVERSIGHT

Taylor
202-805-5863

Sender:	Sexton, Taylor (HHS/ASL) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D9489634C5D949A1ABF2F63B788FA813-SEXTON, TAY>
Recipient:	ASPEClearances (OS/ASPE) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cf3f4d4b8bb14f94afaaec20ef09fab2-ASPEClearan>; OS GCL, EMAIL (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bda789df1c6d48bba4c05d0cfae04fec-OSEMAILGCL>; O'Brien, John (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe8a55d8875a4fc1b4a57afa34e1df5c-Obrien, Joh>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>; Brady, Will (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fa197652dadf4048ad6764b3f9d4a528-Brady, Will>; Waskiewicz, Stephen (OS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c15d9127fb474caf9ee6e0f571616a3b-Waskiewicz,>; Kemper, Laura (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=791ce12e99e9408e946dc9b605b56a17-Kemper, Lau>; Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>; Pence, Laura (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1027e80d2334093870fdb436c5576cd-Pence, Laur>; Parker, Jim (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7ac2e66aa043a6b7cb2eaaf967ffa3-Parker, Jam>; Giroir, Brett (HHS/OASH) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a56fce4755704c4ca031d621b46fd6f7-Girori, Bre>; Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>; Arbes, Sarah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=106db0ac70a241a8b1323647c093d9bf-Arbes, Sara>; Morse, Sara (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb3a04f7dbde41049bfd10f490d3e178-Morse, Sara>; Armstrong, Rebekah (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=77ef5bf94d434250a362f9f2f07df748-Armstrong,>; Aramanda, Alec (OS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=da8391d1f5bf4428b63d6a7b95884b6b-Aramanda, A>; Harrison, Ann Marie (HHS/ASL) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b6be9c73740421eb5591f07ed5964b6-Harrison, A>
Sent Date:	2018/11/09 10:13:18
Delivered Date:	2018/11/09 10:13:23

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From:	Anger, Amanda (HHS/ASFR) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D58F2094B08F4A33B77CD0FEEA72069E-ANGER, AMAN>
To:	Harrison, Brian (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d145efc9c35c4865aca6e9d47786b204-Harrison, B>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>; Williams, Rasheed (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5572109f7d484972bc5d36ce97318ce0-Williams, R>; Cochran, Norris (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f76f7dccd5ea4c7598a7a7df07ed5db4-Cochran, No>
Subject:	RE: Status of funding deal
Date:	2019/02/14 07:17:13
Priority:	Normal
Type:	Note

Bill text was posted late last night.

Conference Report to accompany H.J. Res. 31: https://docs.house.gov/billsthisweek/20190211/CRPT-116hrpt9_u2-.pdf
Joint Explanatory Statement: https://docs.house.gov/billsthisweek/20190211/116hrpt9-JointExplanatoryStatement-u1.pdf

Also attached as PDFs.

-----Original Message-----
From: Anger, Amanda (HHS/ASFR) (CTR)
Sent: Wednesday, February 13, 2019 7:30 PM
To: Harrison, Brian (HHS/IOS) <Brian.Harrison@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Williams, Rasheed (HHS/IOS) <Rasheed.Williams@hhs.gov>; Cochran, Norris (HHS/ASFR) <norris.cochran@hhs.gov>
Subject: Status of funding deal

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Amanda Anger
Director of Congressional Relations
U.S. Department of Health and Human Services

Sender:	Anger, Amanda (HHS/ASFR) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D58F2094B08F4A33B77CD0FEEA72069E-ANGER, AMAN>
Recipient:	Harrison, Brian (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d145efc9c35c4865aca6e9d47786b204-Harrison, B>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>; Williams, Rasheed (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5572109f7d484972bc5d36ce97318ce0-Williams, R>; Cochran, Norris (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f76f7dccd5ea4c7598a7a7df07ed5db4-Cochran, No>
Sent Date:	2019/02/14 07:16:54
Delivered Date:	2019/02/14 07:17:13

AMERICAN OVERSIGHT

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[COMMITTEE PRINT]

116TH CONGRESS *1st Session* } HOUSE OF REPRESENTATIVES { REPORT 116–_____

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND SECURITY FOR FISCAL YEAR 2019, AND FOR OTHER PURPOSES

_____

_____, 2019.—Ordered to be printed

_____

_____, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.J. Res. 31]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 31), making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

February 13, 2019 (8:12 p.m.)

AMERICAN OVERSIGHT

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated Appropriations Act, 2019".

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Statement of appropriations.
Sec. 5. Availability of funds.
Sec. 6. Adjustments to compensation.
Sec. 7. Technical correction.

DIVISION A—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019

Title I—Departmental Management, Operations, Intelligence, and Oversight
Title II—Security, Enforcement, and Investigations
Title III—Protection, Preparedness, Response, and Recovery
Title IV—Research, Development, Training, and Services
Title V—General Provisions

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Agricultural Programs
Title II—Farm Production and Conservation Programs
Title III—Rural Development Programs
Title IV—Domestic Food Programs
Title V—Foreign Assistance and Related Programs
Title VI—Related Agency and Food and Drug Administration
Title VII—General Provisions

DIVISION C—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Commerce
Title II—Department of Justice
Title III—Science
Title IV—Related Agencies
Title V—General Provisions

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-000388

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

Title I—Department of the Treasury
Title II—Executive Office of the President and Funds Appropriated to the President
Title III—The Judiciary
Title IV—District of Columbia
Title V—Independent Agencies
Title VI—General Provisions—This Act
Title VII—General Provisions—Government-wide
Title VIII—General Provisions—District of Columbia

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of the Interior
Title II—Environmental Protection Agency
Title III—Related Agencies
Title IV—General Provisions

DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

Title I—Department of State and Related Agency
Title II—United States Agency for International Development
Title III—Bilateral Economic Assistance
Title IV—International Security Assistance
Title V—Multilateral Assistance
Title VI—Export and Investment Assistance
Title VII—General Provisions
Title VIII—Overseas Contingency Operations/Global War on Terrorism

DIVISION G—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Transportation
Title II—Department of Housing and Urban Development
Title III—Related Agencies
Title IV—General Provisions—This Act

DIVISION H—EXTENSIONS, TECHNICAL CORRECTIONS, AND OTHER MATTERS

Title I—Immigration Extensions
Title II—Technical Corrections
Title III—Budgetary Effects

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-000389

SEC. 3. REFERENCES TO ACT.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019.

SEC. 5. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 6. ADJUSTMENTS TO COMPENSATION.

For a payment to Joe Anne Jones, widow of Walter B. Jones Jr., late a Representative from North Carolina, $174,000.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-000390

SEC. 7. TECHNICAL CORRECTION.

Division O of the Consolidated Appropriations Act, 2018 (Public Law 115–141) is amended—

(1) in the heading, by inserting "Stephen Sepp" before "Wildfire"; and

(2) by amending section 101 to read as follows:

"SEC. 101. SHORT TITLE.

"(a) SHORT TITLE.—This division may be cited as the 'Stephen Sepp Wildfire Suppression Funding and Forest Management Activities Act'.

"(b) REFERENCES.—A reference to the Wildfire Suppression Funding and Forest Management Activities Act, including a reference in a regulation, order, or other law, is deemed to refer to the Stephen Sepp Wildfire Suppression Funding and Forest Management Activities Act.".

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MULTI-HHS-18-0600-A and 18-604-A-000391

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DIVISION A—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

OPERATIONS AND SUPPORT

For necessary expenses of the Office of the Secretary and for executive management for operations and support, $141,381,000: *Provided*, That not to exceed $30,000 shall be for official reception and representation expenses: *Provided further*, That of the funds provided under this heading, $13,000,000 shall be withheld from obligation until the Secretary complies with section 106 of this Act and $13,000,000 shall be withheld from obligation until the Secretary provides the first report on border apprehensions required under this heading by the report accompanying this Act.

MANAGEMENT DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the Management Directorate for operations and support, $1,083,837,000: *Pro-*

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-000392

vided, That not to exceed $2,000 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Management Directorate for procurement, construction, and improvements, $175,920,000, of which $55,920,000 shall remain available until September 30, 2021; and of which $120,000,000 shall remain available until September 30, 2023, and shall be transferred to and merged with the General Services Administration's Federal Buildings Fund for Department of Homeland Security headquarters consolidation at St. Elizabeths: *Provided*, That not later than 30 days prior to any such transfer of funds, the Secretary of Homeland Security and the Administrator of General Services shall provide to the Committees on Appropriations of the Senate and the House of Representatives a detailed plan delineating the proposed use of such transferred funds for such headquarters consolidation project.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Management Directorate for research and development, $2,545,000, to remain available until September 30, 2020.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-000393

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Intelligence and Analysis and the Office of Operations Coordination for operations and support, $253,253,000, of which $78,299,000 shall remain available until September 30, 2020: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses and not to exceed $2,000,000 is available for facility needs associated with secure space at fusion centers, including improvements to buildings.

OFFICE OF INSPECTOR GENERAL

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Inspector General for operations and support, $168,000,000: *Provided*, That not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

ADMINISTRATIVE PROVISIONS

SEC. 101. Not later than 30 days after the last day of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of

AMERICAN OVERSIGHT
February 13, 2019 (8:57 p.m.)
MULTI-HHS-18-0600-A and 18-604-A-000394

Representatives a monthly budget and staffing report that includes total obligations of the Department for that month and for the fiscal year at the appropriation and program, project, and activity levels, by the source year of the appropriation.

SEC. 102. (a) The Secretary of Homeland Security shall submit a report not later than October 15, 2019, to the Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal years 2018 and 2019.

(b) The Inspector General shall review the report required by subsection (a) to assess departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2020.

SEC. 103. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes, which shall be specified in terms of cost, schedule, and performance.

SEC. 104. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and

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the House of Representatives of any proposed transfers of funds available under section 9705(g)(4)(B) of title 31, United States Code from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives are notified of the proposed transfers.

SEC. 105. All official costs associated with the use of Government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Office of the Secretary.

SEC. 106. Section 107 of the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115–141), related to visa overstay data, shall apply in fiscal year 2019, except that the reference to "this Act" shall be treated as referring to this Act, and the reference to "2017" shall be treated as referring to "2018".

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TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,179,729,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6

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U.S.C. 551(e)(1)); of which $2,000,000,000 shall be available until September 30, 2020; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; and of which $58,710,000 is for additional customs officers: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $2,515,878,000, of which $870,656,000 shall remain available until September 30, 2021, and of which $1,645,222,000 shall remain available until September 30, 2023.

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U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $7,542,153,000; of which $6,000,000 shall remain available until expended for efforts to enforce laws against forced child labor; of which $75,448,000 shall remain available until September 30, 2020; of which $1,500,000 is for paid apprenticeships for participants in the Human Exploitation Rescue Operative Child-Rescue Corps; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; and of which not less than $4,273,857,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of

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1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided further*, That of the funds made available under this heading, $10,000,000 shall be withheld from obligation until the first report required by section 226 has been made available on a publicly accessible website.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Immigration and Customs Enforcement for procurement, construction, and improvements, $45,559,000, to remain available until September 30, 2021; of which not less than $10,000,000 shall be available for facilities repair and maintenance projects.

TRANSPORTATION SECURITY ADMINISTRATION

OPERATIONS AND SUPPORT

For necessary expenses of the Transportation Security Administration for operations and support, $7,410,079,000, to remain available until September 30, 2020: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses: *Provided*

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further, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2019 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $4,740,079,000.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Transportation Security Administration for procurement, construction, and improvements, $169,789,000, to remain available until September 30, 2021.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Transportation Security Administration for research and development, $20,594,000, to remain available until September 30, 2020.

Coast Guard

OPERATIONS AND SUPPORT

For necessary expenses of the Coast Guard for operations and support including purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for re-

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placement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of not more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase, lease, or improvements of boats necessary for overseas deployments and activities; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,808,201,000, of which $505,000,000 shall be for defense-related activities, of which $165,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $11,000,000 shall remain available until September 30, 2021; and of which $13,469,000 shall remain available until September 30, 2023, for environmental compliance and restoration: *Provided*, That not to exceed $23,000 shall be for official reception and representation expenses: *Provided further*, That $25,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a future-years capital investment plan for fiscal years 2020 through 2024 is submitted to the

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Committees on Appropriations of the Senate and the House of Representatives pursuant to section 217 of this Act.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Coast Guard for procurement, construction, and improvements, including aids to navigation, shore facilities (including facilities at Department of Defense installations used by the Coast Guard), and vessels and aircraft, including equipment related thereto, $2,248,260,000, to remain available until September 30, 2023, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)).

RESEARCH AND DEVELOPMENT

For necessary expenses of the Coast Guard for research and development; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; $20,256,000, to remain available until September 30, 2021, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public

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authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, payment of continuation pay under section 356 of title 37, United States Code, concurrent receipts, combat-related special compensation, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,739,844,000, to remain available until expended.

UNITED STATES SECRET SERVICE

OPERATIONS AND SUPPORT

For necessary expenses of the United States Secret Service for operations and support, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; rental of buildings in the District of Columbia; fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; con-

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duct of and participation in firearms matches; presentation of awards; conduct of behavioral research in support of protective intelligence and operations; payment in advance for commercial accommodations as may be necessary to perform protective functions; and payment, without regard to section 5702 of title 5, United States Code, of subsistence expenses of employees who are on protective missions, whether at or away from their duty stations; $2,148,528,000; of which $40,036,000 shall remain available until September 30, 2020, and of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children; and of which up to $9,500,000 may be for calendar year 2018 premium pay in excess of the annual equivalent of the limitation on the rate of pay contained in section 5547(a) of title 5, United States Code, pursuant to section 2 of the Overtime Pay for Protective Services Act of 2016 (5 U.S.C. 5547 note), as amended by Public Law 115–160: *Provided*, That not to exceed $19,125 shall be for official reception and representation expenses: *Provided further*, That not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in criminal investigations within the jurisdiction of the United States Secret Service.

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PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the United States Secret Service for procurement, construction, and improvements, $97,131,000, to remain available until September 30, 2021.

RESEARCH AND DEVELOPMENT

For necessary expenses of the United States Secret Service for research and development, $2,500,000, to remain available until September 30, 2020.

ADMINISTRATIVE PROVISIONS

SEC. 201. Section 201 of the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115–141), related to overtime compensation limitations, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act, except that "fiscal year 2019" shall be substituted for "fiscal year 2018".

SEC. 202. Funding made available under the headings "U.S. Customs and Border Protection—Operations and Support" and "U.S. Customs and Border Protection—Procurement, Construction, and Improvements" shall be available for customs expenses when necessary to maintain operations and prevent adverse personnel actions in Puerto Rico in addition to funding provided by section 740 of title 48, United States Code.

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SEC. 203. As authorized by section 601(b) of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112–42), fees collected from passengers arriving from Canada, Mexico, or an adjacent island pursuant to section 13031(a)(5) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be available until expended.

SEC. 204. For an additional amount for "U.S. Customs and Border Protection—Operations and Support", $31,000,000, to remain available until expended, to be reduced by amounts collected and credited to this appropriation in fiscal year 2019 from amounts authorized to be collected by section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)), section 10412 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8311), and section 817 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–25), or other such authorizing language: *Provided*, That to the extent that amounts realized from such collections exceed $31,000,000, those amounts in excess of $31,000,000 shall be credited to this appropriation, to remain available until expended.

SEC. 205. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing

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a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 206. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to section 501(b) of title 46, United States Code, for the transportation of crude oil distributed from and to the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels:

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Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to section 501(b) of title 46, United States Code, with respect to such transportation, and the disposition of such requests.

SEC. 207. (a) Beginning on the date of enactment of this Act, the Secretary of Homeland Security shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) In this section, the term "border crossing fee" means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

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SEC. 208. Without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may reprogram within and transfer funds to "U.S. Immigration and Customs Enforcement—Operations and Support" as necessary to ensure the detention of aliens prioritized for removal.

SEC. 209. None of the funds provided under the heading "U.S. Immigration and Customs Enforcement—Operations and Support" may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been materially violated.

SEC. 210. None of the funds provided under the heading "U.S. Immigration and Customs Enforcement—Operations and Support" may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system.

SEC. 211. Members of the United States House of Representatives and the United States Senate, including

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the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SEC. 212. Any award by the Transportation Security Administration to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness.

SEC. 213. Notwithstanding section 44923 of title 49, United States Code, for fiscal year 2019, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title.

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SEC. 214. None of the funds made available by this or any other Act may be used by the Administrator of the Transportation Security Administration to implement, administer, or enforce, in abrogation of the responsibility described in section 44903(n)(1) of title 49, United States Code, any requirement that airport operators provide airport-financed staffing to monitor exit points from the sterile area of any airport at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

SEC. 215. None of the funds made available by this Act under the heading "Coast Guard—Operations and Support" shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to the appropriation made available by this Act under the heading "Coast Guard—Operations and Support": *Provided*, That to the extent such fees are insufficient to pay expenses of recreational vessel documentation under such section 12114, and there is a backlog of recreational vessel applications, personnel performing non-recreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform documentation under section 12114.

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SEC. 216. Without regard to the limitation as to time and condition of section 503(d) of this Act, after June 30, up to $10,000,000 may be reprogrammed to or from the Military Pay and Allowances funding category within "Coast Guard—Operations and Support" in accordance with subsection (a) of section 503 of this Act.

SEC. 217. Notwithstanding any other provision of law, the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives a future-years capital investment plan as described in the second proviso under the heading "Coast Guard—Acquisition, Construction, and Improvements" in the Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4), which shall be subject to the requirements in the third and fourth provisos under such heading.

SEC. 218. The United States Secret Service is authorized to obligate funds in anticipation of reimbursements from executive agencies, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under the heading "United States Secret Service—Operations and Support" at the end of the fiscal year.

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SEC. 219. None of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided*, That the Director of the United States Secret Service may enter into agreements to provide such protection on a fully reimbursable basis.

SEC. 220. For purposes of section 503(a)(3) of this Act, up to $15,000,000 may be reprogrammed within "United States Secret Service—Operations and Support".

SEC. 221. Funding made available in this Act for "United States Secret Service—Operations and Support" is available for travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if the Director of the United States Secret Service or a designee notifies the Committees on Appropriations of the Senate and the House of Representatives 10 or more days in advance, or as early as practicable, prior to such expenditures.

SEC. 222. Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit an expenditure plan for the amounts made available for "U.S. Customs and Border Protec-

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tion—Procurement, Construction, and Improvements'' to the Committees on Appropriations of the Senate and the House of Representatives: *Provided*, That no such amounts may be obligated prior to the submission of such plan.

SEC. 223. Funds made available for Overseas Contingency Operations/Global War on Terrorism under the heading ''Coast Guard—Operations and Support'' may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

SEC. 224. (a) None of the funds provided by this Act or any other Act, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the components funded by this Act, may be used by the Secretary of Homeland Security to place in detention, remove, refer for a decision whether to initiate removal proceedings, or initiate removal proceedings against a sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor of an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) based on information shared by the Secretary of Health and Human Services.

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(b) Subsection (a) shall not apply if a background check of a sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor reveals—

(1) a felony conviction or pending felony charge that relates to—

(A) an aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)));

(B) child abuse;

(C) sexual violence or abuse; or

(D) child pornography;

(2) an association with any business that employs a minor who—

(A) is unrelated to the sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor; and

(B) is—

(i) not paid a legal wage; or

(ii) unable to attend school due to the employment; or

(3) an association with the organization or implementation of prostitution.

SEC. 225. (a) Subject to the provisions of this section, the Administrator of the Transportation Security Administration (hereafter in this section referred to as "the Ad-

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ministrator") may conduct a pilot program to provide screening services outside of an existing primary passenger terminal screening area where screening services are currently provided or would be eligible to be provided under the Transportation Security Administration's annually appropriated passenger screening program as a primary passenger terminal screening area.

(b) Any request for screening services under subsection (a) shall be initiated only at the request of a public or private entity regulated by the Transportation Security Administration; shall be made in writing to the Administrator; and may only be submitted to the Transportation Security Administration after consultation with the relevant local airport authority.

(c) The Administrator may provide the requested screening services under subsection (a) if the Administrator provides a certification to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate that implementation of subsection (a) does not reduce the security or efficiency of screening services already provided in primary passenger terminals at any impacted airports.

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(d) No screening services may be provided under subsection (a) unless the requesting entity agrees in writing to the scope of the screening services to be provided, and agrees to compensate the Transportation Security Administration for all reasonable personnel and non-personnel costs, including overtime, of providing the screening services.

(e) The authority available under this section is effective for fiscal years 2019 through 2021 and may be utilized at not more than eight locations for transportation security purposes.

(f) Notwithstanding any other provision of law, an airport authority, air carrier, or other requesting entity shall not be liable for any claims for damages filed in State or Federal court (including a claim for compensatory, punitive, contributory, or indemnity damages) relating to—

(1) an airport authority's or other entity's decision to request that the Transportation Security Administration provide passenger screening services outside of a primary passenger terminal screening area; or

(2) any act of negligence, gross negligence, or intentional wrongdoing by employees of the Transportation Security Administration providing pas-

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senger and property security screening services at a pilot program screening location.

(g) Notwithstanding any other provision of law, any compensation received by the Transportation Security Administration under subsection (d) shall be credited to the account used to finance the provision of reimbursable security screening services under subsection (a).

(h) The Administrator shall submit to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate—

(1) an implementation plan for the pilot programs under subsection (a), including the application process, that is due by 90 days after the date of enactment of this Act;

(2) an evaluation plan for the pilot programs; and

(3) annual performance reports, by not later than 60 days after the end of each fiscal year in which the pilot programs are in operation, including—

(A) the amount of reimbursement received by the Transportation Security Administration from each entity in the pilot program for the

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preceding fiscal year, delineated by personnel and non-personnel costs;

(B) an analysis of the results of the pilot programs corresponding to the evaluation plan required under paragraph (2);

(C) any Transportation Security Administration staffing changes created at the primary passenger screening checkpoints and baggage screening as a result of the pilot program; and

(D) any other unintended consequences created by the pilot program.

(i) Except as otherwise provided in this section, nothing in this section may be construed as affecting in any manner the responsibilities, duties, or authorities of the Transportation Security Administration.

(j) For the purposes of this section, the term "airport" means a commercial service airport as defined by section 47107(7) of title 49 United States Code.

(k) For the purposes of this section, the term "screening services" means the screening of passengers, flight crews, and their carry-on baggage and personal articles, and may include checked baggage screening if that type of screening is performed at an offsite location that is not part of a passenger terminal of a commercial airport.

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(l) For the purpose of this section, the term "primary passenger terminal screening area" means the security checkpoints relied upon by airports as the principal points of entry to a sterile area of an airport.

SEC. 226. Not later than 90 days after the date of enactment of this Act and weekly thereafter, the Director of U.S. Immigration and Customs Enforcement shall submit to the Committees on Appropriations of the Senate and the House of Representatives, and make available on a publicly accessible website, a report detailing—

(1) data on aliens detained; including average fiscal year to date daily populations of aliens detained; daily counts of the number of aliens detained as of the date of each report, total fiscal year-to-date book-ins; and average lengths of stay of aliens detained (including average post-determination length of stay in the case of detainees described in subparagraph (B)) for—

(A) single adults and for members of family units detained in the custody of U.S. Immigration and Customs Enforcement, disaggregated by whether the detainees were—

(i) transferred to the custody of U.S. Immigration and Customs Enforcement by U.S. Customs and Border Protection after

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being deemed inadmissible at a port of entry or after being apprehended within 14 days of entering the United States; or

(ii) arrested by U.S. Immigration and Customs Enforcement;

(B) detainees in the custody of U.S. Immigration and Customs Enforcement who are determined to have a credible or reasonable fear of—

(i) persecution, as defined in section 235(b)(1)(B)(v) of the Immigration and Nationality Act; or

(ii) torture, as defined in section 208.30 of title 8, Code of Federal Regulations (as in effect on January 1, 2018);

(C) detainees in the custody of U.S. Immigration and Customs Enforcement who have been issued a Notice to Appear pursuant to section 239 of the Immigration and Nationality Act, disaggregated by single adults and members of family units; and

(2) the total number of enrollees in the Alternatives to Detention program and the average length of participation, disaggregated by—

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(A) single adults and family heads of household;

(B) participants in the family case management program;

(C) level of supervision; and

(D) the locations of supervision, by field office.

SEC. 227. None of the funds in this Act shall be used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 228. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 229. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any civil engineering unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

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SEC. 230. (a) Of the total amount made available under "U.S. Customs and Border Protection—Procurement, Construction, and Improvements", $2,370,222,000 shall be available only as follows:

(1) $1,375,000,000 is for the construction of primary pedestrian fencing, including levee pedestrian fencing, in the Rio Grande Valley Sector;

(2) $725,000,000 is for the acquisition and deployment of border security technologies and trade and travel assets and infrastructure, to include $570,000,000 for non-intrusive inspection equipment at ports of entry; and

(3) $270,222,000 is for construction and facility improvements, to include $222,000,000 for humanitarian needs, $14,775,000 for Office of Field Operations facilities, and $33,447,000 for Border Patrol station facility improvements.

(b) The amounts designated in subsection (a)(1) shall only be available for operationally effective designs deployed as of the date of the Consolidated Appropriations Act, 2017 (Public Law 115–31), such as currently deployed steel bollard designs, that prioritize agent safety.

(c) Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the

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Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section.

SEC. 231. None of the funds made available by this Act or prior Acts are available for the construction of pedestrian fencing—

(1) within the Santa Ana Wildlife Refuge;

(2) within the Bentsen-Rio Grande Valley State Park;

(3) within La Lomita Historical park;

(4) within the National Butterfly Center; or

(5) within or east of the Vista del Mar Ranch tract of the Lower Rio Grande Valley National Wildlife Refuge.

SEC. 232. (a) Prior to use of any funds made available by this Act for the construction of physical barriers within the city limits of any city or census designated place described in subsection (c), the Department of Homeland Security and the local elected officials of such a city or census designated place shall confer and seek to reach mu-

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tual agreement regarding the design and alignment of physical barriers within that city or the census designated place (as the case may be). Such consultations shall continue until September 30, 2019 (or until agreement is reached, if earlier) and may be extended beyond that date by agreement of the parties, and no funds made available in this Act shall be used for such construction while consultations are continuing.

(b) Not later than July 1, 2019, the Secretary shall issue notices for public comment regarding construction of pedestrian fencing in the places identified in subsection (c). The notices shall afford the public not less than 60 days to submit comments on the location of proposed fencing in the affected areas. Not later than 90 days following the end of the comment period identified in this subsection, the Department shall publish in the Federal Register its responses to the comments received along with its plans for construction in the areas identified in the notice to which it is responding.

(c) The cities and census designated place described in this subsection are as follows:

(1) Roma, Texas.

(2) Rio Grande City, Texas.

(3) Escobares, Texas.

(4) La Grulla, Texas.

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(5) The census designated place of Salineno, Texas.

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TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

OPERATIONS AND SUPPORT

For necessary expenses of the Cybersecurity and Infrastructure Security Agency for operations and support, $1,345,802,000, of which $18,650,000 shall remain available until September 30, 2020: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Cybersecurity and Infrastructure Security Agency for procurement, construction, and improvements, $322,829,000, to remain available until September 30, 2021.

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RESEARCH AND DEVELOPMENT

For necessary expenses of the Cybersecurity and Infrastructure Security Agency for research and development, $13,126,000, to remain available until September 30, 2020.

FEDERAL EMERGENCY MANAGEMENT AGENCY

OPERATIONS AND SUPPORT

For necessary expenses of the Federal Emergency Management Agency for operations and support, $1,066,258,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Federal Emergency Management Agency for procurement, construction, and improvements, $133,830,000, of which $61,834,000 shall remain available until September 30, 2021, and of which $71,996,000 shall remain available until September 30, 2023.

FEDERAL ASSISTANCE

For activities of the Federal Emergency Management Agency for Federal assistance through grants, contracts, cooperative agreements, and other activities, $3,094,210,000, which shall be allocated as follows:

(1) $525,000,000 for the State Homeland Security Grant Program under section 2004 of the

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Homeland Security Act of 2002 (6 U.S.C. 605), of which $90,000,000 shall be for Operation Stonegarden, and $10,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2019, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) $640,000,000 for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which $50,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) $100,000,000 for Public Transportation Security Assistance, Railroad Security Assistance, and

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Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135, 1163, and 1182), of which $10,000,000 shall be for Amtrak security and $2,000,000 shall be for Over-the-Road Bus Security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) $100,000,000 for Port Security Grants in accordance with section 70107 of title 46, United States Code.

(5) $700,000,000, to remain available until September 30, 2020, of which $350,000,000 shall be for Assistance to Firefighter Grants and $350,000,000 shall be for Staffing for Adequate Fire and Emergency Response Grants under sections 33 and 34 respectively of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a).

(6) $350,000,000 for emergency management performance grants under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), the Earthquake Haz-

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ards Reduction Act of 1977 (42 U.S.C. 7701), section 762 of title 6, United States Code, and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.).

(7) $262,531,000 for necessary expenses for Flood Hazard Mapping and Risk Analysis, in addition to and to supplement any other sums appropriated under the National Flood Insurance Fund, and such additional sums as may be provided by States or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(f)(2)), to remain available until expended.

(8) $10,000,000 for Regional Catastrophic Preparedness Grants.

(9) $10,000,000 for Rehabilitation of High Hazard Potential Dams under section 8A of the National Dam Safety Program Act (33 U.S.C. 467f–2).

(10) $120,000,000 for the emergency food and shelter program under title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331), to remain available until expended: *Provided*, That not to exceed 3.5 percent shall be for total administrative costs.

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(11) $276,679,000 to sustain current operations for training, exercises, technical assistance, and other programs.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $12,558,000,000, to remain available until expended, of which $3,000,000 may be transferred to the Disaster Assistance Direct Loan Program for administrative expenses to carry out the program as authorized by section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184): *Provided*, That of the amount provided under this heading, $12,000,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That of the amounts set aside from funds provided under this heading pursuant to subsection (i)(1) of section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(i)(1)), $250,000,000 shall be available to carry out activities for

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the National Predisaster Mitigation Fund under that section of that Act (as in effect on the day before the amendments made by section 1234 of the Disaster Recovery Reform Act of 2018 (division D of Public Law 115–254) took effect), in addition to any amounts otherwise made available for such purpose by this or any other Act and may be merged in this account for all purposes with funds for the revised National Public Infrastructure Predisaster Mitigation Assistance, as authorized by the amendments made to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) by section 1234 of the Disaster Recovery Reform Act of 2018 (division D of Public Law 115–254), once that assistance has been fully implemented: *Provided further*, That $300,000,000 of the amounts provided under this heading in this Act shall be derived from unobligated balances from prior year appropriations available under this heading: *Provided further*, That none of the amounts derived from unobligated balances in the previous proviso shall be from amounts that were designated by the Congress as being for an emergency requirement pursuant to a Concurrent Resolution on the budget or section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief

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pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89; 128 Stat. 1020), $202,153,000, to remain available until September 30, 2020, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which $13,858,000 shall be available for mission support associated with flood management; and of which $188,295,000 shall be available for flood plain management and flood mapping: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as offsetting collections to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2019, no funds shall be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) in excess of—

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(1) $176,304,000 for operating expenses and salaries and expenses associated with flood insurance operations;

(2) $1,123,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $175,000,000, which shall remain available until expended, for flood mitigation actions and for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), notwithstanding sections 1366(e) and 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017): *Provided further*, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e)), shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding section 102(f)(8), section 1366(e) of the National Flood Insurance Act of 1968, and paragraphs (1) through (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total

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appropriation: *Provided further*, That up to $5,000,000 is available to carry out section 24 of the Homeowner Flood Insurance Affordability Act of 2014 (42 U.S.C. 4033).

ADMINISTRATIVE PROVISIONS

SEC. 301. Not later than 180 days after the date of enactment of this Act, the Federal Protective Service, in conjunction with the Office of Management and Budget, shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives providing no fewer than three options for a revised method to assess and allocate costs for countermeasures.

SEC. 302. Notwithstanding section 2008(a)(12) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12)) or any other provision of law, not more than 5 percent of the amount of a grant made available in paragraphs (1) through (4) under "Federal Emergency Management Agency—Federal Assistance", may be used by the grantee for expenses directly related to administration of the grant.

SEC. 303. Applications for grants under the heading "Federal Emergency Management Agency—Federal Assistance", for paragraphs (1) through (4), shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, eligible applicants shall submit applications not later than 80 days after the grant

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announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application.

SEC. 304. Under the heading "Federal Emergency Management Agency—Federal Assistance", for grants under paragraphs (1) through (4), (8), and (9), the Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award.

SEC. 305. Under the heading "Federal Emergency Management Agency—Federal Assistance", for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility.

SEC. 306. The reporting requirements in paragraphs (1) and (2) under the heading "Federal Emergency Management Agency—Disaster Relief Fund" in the Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4) shall be applied in fiscal year 2019 with respect to budget year 2020 and current fiscal year 2019, respectively—

(1) in paragraph (1) by substituting "fiscal year 2020" for "fiscal year 2016"; and

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(2) in paragraph (2) by inserting "business" after "fifth".

SEC. 307. In making grants under the heading "Firefighter Assistance Grants", the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 308. The aggregate charges assessed during fiscal year 2019, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security to be necessary for its Radiological Emergency Preparedness Program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That such fees shall be deposited in a Radiological Emergency Preparedness Program account as offsetting collections and will become available for authorized purposes on October 1, 2019, and remain available until expended.

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SEC. 309. (a) The Federal share of assistance, including direct Federal assistance, provided under sections 403 and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b and 42 U.S.C. 5173), with respect to a major disaster declared pursuant to such Act for damages resulting from a wildfire in calendar year 2018, shall be not less than 90 percent of the eligible costs under such section.

(b) The Federal share provided by subsection (a) shall apply to assistance provided before, on, or after the date of enactment of this Act.

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TITLE IV

RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Citizenship and Immigration Services for operations and support of the E-Verify Program, $109,688,000.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Citizenship and Immigration Services for procurement, construction, and improvements of the E-Verify Program, $22,838,000, to remain available until September 30, 2021.

FEDERAL ASSISTANCE

For necessary expenses of U.S. Citizenship and Immigration Services for Federal assistance for the Citizenship and Integration Grant Program, $10,000,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

OPERATIONS AND SUPPORT

For necessary expenses of the Federal Law Enforcement Training Centers for operations and support, including the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, $277,876,000, of which $20,000,000 shall remain

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available until September 30, 2020: *Provided*, That not to exceed $7,180 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Federal Law Enforcement Training Centers for procurement, construction, and improvements, $50,943,000, to remain available until September 30, 2023.

SCIENCE AND TECHNOLOGY DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the Science and Technology Directorate for operations and support, including the purchase or lease of not to exceed 5 vehicles, $308,520,000, of which $170,462,000 shall remain available until September 30, 2020: *Provided*, That not to exceed $10,000 shall be for official reception and representation expenses.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Science and Technology Directorate for research and development, $511,265,000, to remain available until September 30, 2021.

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COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

OPERATIONS AND SUPPORT

For necessary expenses of the Countering Weapons of Mass Destruction Office for operations and support, $187,095,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Countering Weapons of Mass Destruction Office for procurement, construction, and improvements, $100,096,000, to remain available until September 30, 2021.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Countering Weapons of Mass Destruction Office for research and development, $83,043,000, to remain available until September 30, 2021.

FEDERAL ASSISTANCE

For necessary expenses of the Countering Weapons of Mass Destruction Office for Federal assistance through grants, contracts, cooperative agreements, and other activities, $64,663,000, to remain available until September 30, 2021.

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ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 401. Notwithstanding any other provision of law, funds otherwise made available to U.S. Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided*, That the Director of U.S. Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

SEC. 402. None of the funds made available in this Act may be used by U.S. Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by U.S. Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 403. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by employees (including employees serving on a temporary or term basis) of U.S. Citizenship and Immigration Services of the Department of Homeland Secu-

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rity who are known as Immigration Information Officers, Immigration Service Analysts, Contact Representatives, Investigative Assistants, or Immigration Services Officers.

SEC. 404. The Director of the Federal Law Enforcement Training Centers is authorized to distribute funds to Federal law enforcement agencies for expenses incurred participating in training accreditation.

SEC. 405. The Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 406. The Director of the Federal Law Enforcement Training Centers may accept transfers to the account established by section 407(a) of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) from Government agencies requesting the construction of special use facilities, as authorized by the Economy Act (31 U.S.C. 1535(b)): *Provided*, That the Federal Law Enforcement Training Centers maintain administrative control and ownership upon completion of such facilities.

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SEC. 407. The functions of the Federal Law Enforcement Training Centers instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 408. The Secretary of Homeland Security may transfer personnel and up to $15,000,000 in unexpended balances of amounts made available to the Department of Homeland Security under the heading "Science and Technology Directorate—Operations and Support" in division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) to the Department of Agriculture for the purpose of contract and associated support of the operations of the National Bio and Agro-defense Facility: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives at least 30 days in advance of such transfer.

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TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the components in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the components funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or eliminates a program, project, or activity, or increases funds for any program, project,

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or activity for which funds have been denied or restricted by the Congress;

(2) contracts out any function or activity presently performed by Federal employees or any new function or activity proposed to be performed by Federal employees in the President's budget proposal for fiscal year 2019 for the Department of Homeland Security;

(3) augments funding for existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(4) reduces funding for any program, project, or activity, or numbers of personnel, by 10 percent or more; or

(5) results from any general savings from a reduction in personnel that would result in a change in funding levels for programs, projects, or activities as approved by the Congress.

(b) Subsection (a) shall not apply if the Committees on Appropriations of the Senate and the House of Representatives are notified at least 15 days in advance of such reprogramming.

(c) Up to 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous

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appropriations Acts may be transferred between such appropriations if the Committees on Appropriations of the Senate and the House of Representatives are notified at least 30 days in advance of such transfer, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfer.

(d) Notwithstanding subsections (a), (b), and (c), no funds shall be reprogrammed within or transferred between appropriations based upon an initial notification provided after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in subsections (a), (b), (c), and (d) shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts that remain available for obligation in the current year.

(f) Notwithstanding subsection (c), the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House

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of Representatives at least 5 days in advance of such transfer.

SEC. 504. Section 504 of the Department of Homeland Security Appropriations Act, 2017 (division F of Public Law 115–31), related to the operations of a working capital fund, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019, as recorded in the financial records at the time of a reprogramming notification, but not later than June 30, 2020, from appropriations for "Operations and Support" for fiscal year 2019 in this Act shall remain available through September 30, 2020, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a notification shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal

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year 2019 until the enactment of an Act authorizing intelligence activities for fiscal year 2019.

SEC. 507. (a) The Secretary of Homeland Security, or the designee of the Secretary, shall notify the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of—

(1) making or awarding a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) awarding a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds;

(3) making a sole-source grant award; or

(4) announcing publicly the intention to make or award items under paragraph (1), (2), or (3), including a contract covered by the Federal Acquisition Regulation.

(b) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify

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the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(c) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account from which the funds are being drawn.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without advance notification to the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Centers is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Centers facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under

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chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act: *Provided*, That for purposes of the preceding sentence, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 513. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452) unless explicitly authorized by the Congress.

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SEC. 514. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 515. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 516. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 517. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 518. None of the funds made available in this Act may be used to employ workers described in section

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274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 519. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 520. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 521. (a) For an additional amount for financial systems modernization, $51,000,000, to remain available until September 30, 2020.

(b) Funds made available in subsection (a) for financial systems modernization may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

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(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 522. (a) The funds appropriated to the Department of Homeland Security in this Act for "Operations and Support" shall be hereby reduced, as determined by the Chief Financial Officer, by a total of $12,000,000 to realize administrative savings, including savings from requirements, supplies, or materials that were funded by the Department using fiscal year 2018 appropriations for contracts with periods of performance in fiscal year 2019.

(b) Funds may only be reduced for the respective appropriations from amounts identified in the budget appendix, as modified by the report accompanying this Act, by object classes 25.1, 25.2, 25.3, and 26.2.

(c) No funds may be reduced from amounts provided under the following headings and activities:

(1) "Cybersecurity and Infrastructure Security Agency—Operations and Support";

(2) "Coast Guard—Operations and Support" for defense-related activities; and

(3) "Federal Emergency Management Agency—Operations and Support" for National Con-

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tinuity Programs in the Preparedness and Protection program, project, and activity.

(d) No amounts may be reduced from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or from amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) The Secretary shall submit a notification to the Committees on Appropriations of the Senate and the House of Representatives specifying the account and amount of each reduction made pursuant to this section.

SEC. 523. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

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SEC. 524. None of the funds made available in this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 525. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security, or a designee, determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations: *Provided further*, That the total cost to the Department of Homeland Security of any such conference shall not exceed $500,000.

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SEC. 526. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 527. None of the funds made available to the Department of Homeland Security by this or any other Act may be obligated for any structural pay reform that affects more than 100 full-time positions or costs more than $5,000,000 in a single year before the end of the 30-day period beginning on the date on which the Secretary of Homeland Security submits to Congress a notification that includes—

(1) the number of full-time positions affected by such change;

(2) funding required for such change for the current year and through the Future Years Homeland Security Program;

(3) justification for such change; and

(4) an analysis of compensation alternatives to such change that were considered by the Department.

SEC. 528. (a) Any agency receiving funds made available in this Act shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Committees on Appropria-

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tions of the Senate and the House of Representatives in this Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises homeland or national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the Committees on Appropriations of the Senate and the House of Representatives for not less than 45 days except as otherwise specified in law.

SEC. 529. (a) Funding provided in this Act for "Operations and Support" may be used for minor procurement, construction, and improvements.

(b) For purposes of subsection (a), "minor" refers to end items with a unit cost of $250,000 or less for personal property, and $2,000,000 or less for real property.

SEC. 530. The authority provided by section 532 of the Department of Homeland Security Appropriations Act, 2018 (Public Law 115–141) regarding primary and secondary schooling of dependents shall continue in effect during fiscal year 2019.

SEC. 531. (a) For an additional amount for "Federal Emergency Management Agency—Federal Assistance",

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$41,000,000, to remain available until September 30, 2020, exclusively for providing reimbursement of extraordinary law enforcement personnel costs for protection activities directly and demonstrably associated with any residence of the President that is designated or identified to be secured by the United States Secret Service.

(b) Subsections (b) through (f) of section 534 of the Department of Homeland Security Appropriations Act, 2018 (Public Law 115–141), shall be applied with respect to amounts made available by subsection (a) of this section by substituting "October 1, 2019" for "October 1, 2018" and "October 1, 2018" for "October 1, 2017".

SEC. 532. None of the funds made available by this Act may be used to prevent a Member of Congress from entering, for the purpose of conducting oversight, any facility operated by or for the Department of Homeland Security used to detain or otherwise house alien minors, or to make any temporary modification at any such facility that in any way alters what is observed by a visiting Member of Congress, compared to what would be observed in the absence of such modification.

SEC. 533. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used to place restraints on a woman in the custody of the Department of Homeland Security (including during trans-

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port, in a detention facility, or at an outside medical facility) who is pregnant or in post-delivery recuperation.

(b) Subsection (a) shall not apply with respect to a pregnant woman if—

(1) an appropriate official of the Department of Homeland Security makes an individualized determination that the woman—

(A) is a serious flight risk, and such risk cannot be prevented by other means; or

(B) poses an immediate and serious threat to harm herself or others that cannot be prevented by other means; or

(2) a medical professional responsible for the care of the pregnant woman determines that the use of therapeutic restraints is appropriate for the medical safety of the woman.

(c) If a pregnant woman is restrained pursuant to subsection (b), only the safest and least restrictive restraints, as determined by the appropriate medical professional treating the woman, may be used. In no case may restraints be used on a woman who is in active labor or delivery, and in no case may a pregnant woman be restrained in a face-down position with four-point restraints, on her back, or in a restraint belt that constricts the area of the pregnancy. A pregnant woman who is immobilized

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by restraints shall be positioned, to the maximum extent feasible, on her left side.

SEC. 534. None of the funds made available by this Act may be used to destroy any document, recording, or other record pertaining to any potential sexual assault or abuse perpetrated against any individual held in the custody of the Department of Homeland Security.

SEC. 535. Section 513 of division F of Public Law 114–113, regarding a prohibition on funding for any position designated as a Principal Federal Official, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act.

SEC. 536. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 537. Within 60 days of any budget submission for the Department of Homeland Security for fiscal year 2020 that assumes revenues or proposes a reduction from the previous year based on user fees proposals that have not been enacted into law prior to the submission of the budget, the Secretary of Homeland Security shall provide the Committees on Appropriations of the Senate and the House of Representatives specific reductions in proposed

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discretionary budget authority commensurate with the revenues assumed in such proposals in the event that they are not enacted prior to October 1, 2019.

(RESCISSIONS)

SEC. 538. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2018 (Public Law 115–141) are rescinded:

(1) $169,000 from "Office of the Secretary and Executive Management—Operations and Support";

(2) $328,000 from "Management Directorate—Operations and Support";

(3) $366,000 from "Intelligence, Analysis, and Operations Coordination—Operations and Support";

(4) $427,000 from "U.S. Customs and Border Protection—Operations and Support";

(5) $30,000 from "Coast Guard—Operating Expenses";

(6) $1,040,000 from "Coast Guard—Acquisition, Construction, and Improvements";

(7) $5,166,000 from "United States Secret Service—Operations and Support";

(8) $1,589,000 from "National Protection and Programs Directorate—Operations and Support";

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(9) $362,000 from "Office of Health Affairs—Operations and Support";

(10) $362,000 from "Federal Emergency Management Agency—Operations and Support";

(11) $206,000 from "U.S. Citizenship and Immigration Services—Operations and Support";

(12) $63,000 from "Science and Technology Directorate—Operations and Support"; and

(13) $437,000 from "Domestic Nuclear Detection Office—Operations and Support".

(RESCISSIONS)

SEC. 539. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177):

(1) $33,870,000 from Public Law 115–141 under the heading "Transportation Security Administration—Operations and Support".

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(2) $17,045,000 from Public Law 115–31 under the heading "Coast Guard—Research, Development, Test, and Evaluation".

(3) $17,200,000 from Public Law 115–141 under the heading "Domestic Nuclear Detection Office—Federal Assistance".

(4) $7,400,000 from Public Law 114–4 under the heading "Coast Guard—Acquisition, Construction, and Improvements".

(5) $5,200,000 from Public Law 114–113 under the heading "Coast Guard—Acquisition, Construction, and Improvements".

(RESCISSION)

SEC. 540. From the unobligated balances available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code (added by section 638 of Public Law 102–393), $200,000,000 shall be permanently rescinded not later than September 30, 2019.

This division may be cited as the "Department of Homeland Security Appropriations Act, 2019".

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DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $46,603,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $800,000 shall be available for the Office of the Assistant to the Secretary for Rural Development: *Provided*, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $1,496,000 shall be available for the Office of Homeland Security; not to exceed $4,711,000 shall be available for the Office of Partnerships and Public Engagement; not to exceed $23,176,000 shall be available for the Office of the Assistant Secretary for Administration, of which $22,301,000 shall be available for Departmental Administration to pro-

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vide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided further*, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: *Provided further*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $22,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided*

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further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $21,286,000, of which $5,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, $15,222,000.

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OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,525,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $55,630,000, of which not less than $38,000,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,028,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $901,000: *Provided*, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,206,000.

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AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $59,967,000, to remain available until expended.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), $3,503,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Depart-

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ment for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), $98,208,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97–98).

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $45,146,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $4,136,000.

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OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $800,000: *Provided*, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $86,757,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $174,517,000, of which up to $45,300,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and

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for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,303,266,000, of which $10,600,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements

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at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivi-

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sion, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $381,200,000 to remain available until expended, of which $247,700,000 shall be allocated for ARS facilities co-located with university partners.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $927,649,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the joint explanatory statement accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research

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initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further,* That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further,* That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further,* That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

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EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $505,692,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the joint explanatory statement accompanying this Act: *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further,* That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $38,000,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the joint explanatory statement accompanying this Act: *Provided*, That funds for the Food and Agriculture De-

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fense Initiative shall remain available until September 30, 2020: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $901,000: *Provided*, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $1,011,136,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for

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control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $37,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $705,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $62,840,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $186,013,000, to remain available until expended, shall be for specialty crop pests; of which, $11,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $16,523,000, to remain available until expended, shall be for zoonotic disease management; of which $40,966,000, to remain available until expended, shall be for emergency preparedness and response; of which $60,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be

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for the scrapie program for indemnities; of which $2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended; of which $13,600,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas: *Provided further,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the

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arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2019, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain avail-

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able until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $159,095,000, of which $4,000,000 shall be available for the purposes of section 12306 of Public Law 113–79; and of which $1,500,000 shall be available for marketing activities authorized under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)) to provide to State departments of agriculture, State cooperative extension services, institutions of higher education, and nonprofit organizations grants to carry out programs and provide technical assistance to promote innovation, process improvement, and marketing relating to dairy products: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost

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of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $61,227,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise provided in this Act; and (3) not more than $20,705,000 for formulation and administration of mar-

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keting agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961 (Public Law 87–128).

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,235,000.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $55,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $800,000: *Provided*, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

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FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,049,344,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2019 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section 12106 of Public Law 113–79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the

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cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, $901,000: *Provided*, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, $216,350,000: *Provided*, That $60,228,000 of amounts appropriated for the current fiscal year pursuant to section 1241(a) of the Farm Security and Rural Investment Act of 1985 (16 U.S.C. 3841(a)) shall be transferred to and merged with this account.

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FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,081,655,000, of which not less than $20,000,000 shall be for the hiring of new employees to fill vacancies at Farm Service Agency county offices and farm loan officers and shall be available until September 30, 2020: *Provided*, That not more than 50 percent of the funding made available under this heading for information technology related to farm program delivery may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost for the entirety of the project/investment, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable De-

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partment's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: *Provided further*, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2019 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended: *Provided further*, That none of

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the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,904,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program de-

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scribed in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,750,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,960,000,000 for unsubsidized guaranteed operating loans and $1,530,000,000 for direct operating loans; emergency loans, $37,668,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $30,000,000: *Provided*, That the Secretary shall

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deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, $59,670,000 for direct operating loans, $21,168,000 for unsubsidized guaranteed operating loans, emergency loans, $1,567,000 and $2,134,000 for Indian highly fractionated land loans to remain available until expended.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $317,068,000: *Provided*, That of this amount, $290,917,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": *Provided further*, That of this amount $16,081,000 shall be transferred to and merged with the appropriation for "Farm Production and Conservation Business Center, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both

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Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, $58,361,000: *Provided*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary build-

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ings; and operation and maintenance of aircraft, $819,492,000, to remain available until September 30, 2020: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $150,000,000, to remain available until expended: *Pro-*

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vided, That for funds provided by this Act or any other prior Act, the limitation regarding the size of the watershed or subwatershed exceeding two hundred and fifty thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose of flood prevention (including structural and land treatment measures): *Provided further*, That of the amounts made available under this heading, $50,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $10,000,000 is provided: *Provided*, That of the amounts made available under this heading, $5,000,000 shall remain available until expended for watershed rehabilitation projects in

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states with high-hazard dams and other watershed structures and that have recently incurred flooding events which caused fatalities.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17,

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1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961).

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TITLE III

RURAL DEVELOPMENT PROGRAMS

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $236,835,000: *Provided,* That no less than $6,000,000 shall be for information technology investments: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs: *Provided further*, That in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section, as amended by this Act, will immediately be credited to this account and will remain available until expended for such purposes.

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RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $1,000,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $28,000,000 for section 504 housing repair loans; $40,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $67,700,000 shall be for direct loans; section 504 housing repair loans, $3,419,000; section 523 self-help housing land development loans, $431,000; section 524 site development loans, $176,000; and repair, rehabilitation, and new construction of section 515 rental housing, $9,484,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made

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available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2019: *Provided further*, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities

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and public housing authorities to earn a Return on Investment on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as "Asset Management Fee" of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), $16,853,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $412,254,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into

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in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,331,400,000, of which $40,000,000 shall be available until September 30, 2020; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2019 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assist-

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ance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: *Provided further*, That except as provided in the third proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2019 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $51,500,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $27,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher

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shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $24,500,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating

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interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

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MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $30,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $45,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,800,000,000 for direct loans and $148,287,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $4,285,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $45,778,000, to remain available until expended: *Provided*, That $6,000,000 of the amount ap-

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propriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such

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Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $65,040,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $8,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.), the Northern Border Regional Commission (40 U.S.C. 15101 et seq.), and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided*

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further, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $18,889,000.

For the cost of direct loans, $4,157,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2019, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2019, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

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In addition, for administrative expenses to carry out the direct loan programs, $4,468,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

For the principal amount of direct loans, as authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $50,000,000.

The cost of grants authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed $10,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $29,100,000, of which $2,800,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of in-

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dividuals who are members of socially disadvantaged groups; and of which $17,500,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 210A of the Agricultural Marketing Act of 1946, of which $2,500,000 may be used for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $334,500: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct loans as authorized by section 306 and described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act, $1,400,000,000. For loan guarantees and grants for rural water, waste water, waste disposal, and solid waste management programs authorized by sec-

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tions 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $548,690,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,500,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided,* That not to exceed $15,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act and such grants may not exceed $1,000,000 notwithstanding section 306A(f)(1) of such Act: *Provided further,* That $68,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: *Provided further,* That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public

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Law 105–83: *Provided further,* That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further,* That not to exceed $30,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $8,000,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided fur-*

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ther, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further,* That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further,* That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further,* That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305, 306, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)

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shall be made as follows: loans made pursuant to sections 305, 306, and 317, notwithstanding 317(c), of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A, $750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, design and engineering or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon subsurface utilization and storage systems.

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, $1,725,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $33,270,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

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DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $29,851,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $34,000,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $5,830,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $30,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

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TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $800,000: *Provided*, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $23,140,781,000 to remain available through September 30, 2020, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $17,004,000

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shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than $1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, $28,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): *Provided further*, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking "2010 through 2018" and inserting "2010 through 2019": *Provided further*, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking "For fiscal year 2018" and inserting "For fiscal year 2019": *Provided further*, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking "For fiscal year 2018" and inserting "For fiscal year 2019".

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SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,075,000,000, to remain available through September 30, 2020: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, and $19,000,000 shall be used for infrastructure, of which $5,000,000 shall be for telehealth competitive grants to supplement the nutrition education and breastfeeding support offered in the WIC clinic, and to decrease barriers to access to WIC services, particularly in rural communities, and other populations facing barriers to accessing support: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally man-

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dated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $73,476,921,000, of which $3,000,000,000, to remain available through December 31, 2020, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2020: *Provided further*, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the

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Food and Nutrition Act of 2008 shall remain available through September 30, 2020: *Provided further*, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $322,139,000, to remain available through September 30, 2020: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwith-

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standing any other provision of law, effective with funds made available in fiscal year 2019 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2020: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 15 percent for costs associated with the distribution of commodities: *Provided further*, That $30,000,000 of prior year unobligated balances of the Commodity Supplemental Food Program shall be transferred to The Emergency Food Assistance Program to be used for administrative expenses.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $164,688,000, of which $12,297,000 shall remain available through September 30, 2021, for the development and dissemination of the Dietary Guidelines for Americans: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

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TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, $875,000: *Provided*, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, $3,976,000, including not to exceed $40,000 for official reception and representation expenses.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $213,890,000, of which no more than 6 percent shall remain available until September 30, 2020, for overseas op-

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erations to include the payment of locally employed staff: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $142,000, shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

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FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,500,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $210,255,000, to remain available until expended, of which $1,000,000 is for the use of recently developed potable water technologies in school feeding projects: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: *Provided further*, That of the amount made available under this heading, $15,000,000, shall remain available until expended for necessary expenses to carry out the provisions of section 3207 of the Agricultural Act of 2014 (7 U.S.C. 1726c).

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COMMODITY CREDIT CORPORATION EXPORT (LOANS)
CREDIT GUARANTEE PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $8,845,000, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,382,000 shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $2,463,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

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TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114–255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $5,584,965,000: *Provided*, That of the amount provided under this heading, $1,010,323,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $204,730,000

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shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $501,721,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $38,847,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $30,331,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $18,335,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $712,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2019 limitations are appropriated and shall be cred-

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ited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2019, including any such fees collected prior to fiscal year 2019 but credited for fiscal year 2019, shall be subject to the fiscal year 2019 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2019 of user fees specified under this heading and authorized for fiscal year 2020, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2020 for which the Secretary accepts payment in fiscal year 2019 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $1,059,980,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which no less than $15,000,000 shall be used for inspections of foreign seafood manufacturers and field examinations of imported seafood; (2) $1,879,927,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3)

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$402,144,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $223,611,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $556,179,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $66,712,000 shall be for the National Center for Toxicological Research; (7) $666,832,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) $173,847,000 shall be for Rent and Related activities, of which $50,587,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) $237,849,000 shall be for payments to the General Services Administration for rent; and (10) $317,884,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined

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by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for "other activities", and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for "Department of Health and Human Services—Office of Inspector General" for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That of the total amount made available under this heading, $3,000,000 shall be used by the Commissioner of Food and Drugs, in coordination with the Secretary of Agriculture, for consumer outreach and education regarding agricultural biotechnology and biotechnology-derived food products and animal feed, including through publication and distribution of science-based educational information on the environmental, nutritional, food safety, economic, and humanitarian impacts of such biotechnology, food products, and feed: *Provided further*, That funds may be transferred from one specified

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activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), and medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, and, contingent upon the enactment of the Over-the-Counter Monograph User Fee Act of 2019, fees relating to over-the-counter monograph drugs authorized by part 10 of subchapter C of Chapter VII of the Federal Food, Drug and Cosmetic Act shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, demolition, and purchase of fixed equipment or facilities of or used by the Food and Drug Admin-

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istration, where not otherwise provided, $11,788,000, to remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described under section 1002(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes under the heading "Salaries and Expenses", $70,000,000, to remain available until expended: *Provided*, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for "Department of Health and Human Services Food and Drug Administration Salaries and Expenses" solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the account: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law.

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INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $74,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

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TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to re-

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main available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 716 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, or functions of the offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of

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section 716 of this Act: *Provided further*, That the Secretary of Agriculture and the offices of the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees

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shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current

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fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for

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projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313B(a) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2020, for information technology expenses: *Provided*, That except as otherwise specifically provided by law, unobligated balances

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from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2020, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113–79) or by a successor to that Act, other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment

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for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than $2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 714. Notwithstanding subsection (b) of section 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this section referred to as "section 14222"), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section

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referred to as "section 32") in excess of $1,299,600,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$485,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000; Administration of Section 32 Commodity Purchases—$35,853,000: *Provided*, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2019, such unobligated balances shall carryover into fiscal year 2020 and shall remain available until expended for any of the purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed $350,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: *Provided further*, That, with the exception of any available carryover funds authorized in any prior appropriations Act to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32.

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SEC. 715. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2020 appropriations Act.

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided

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by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be

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available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal

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year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

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(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 717. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 718. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee.

SEC. 719. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution

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in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 720. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 721. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

SEC. 722. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the joint explanatory statement accompanying this Act.

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SEC. 723. Of the unobligated balances from amounts made available for the supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $500,000,000 are hereby rescinded.

SEC. 724. The Secretary shall continue an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall continue agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 725. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropria-

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tions of both Houses of Congress at least 15 days in advance.

SEC. 726. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 727. None of the funds made available by this Act may be used to implement, administer, or enforce the "variety" requirements of the final rule entitled "Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)" published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term "variety" as de fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and "variety" as applied in the definition

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of the term "staple food" as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: *Provided*, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 728. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940); or

(2) to prohibit the transportation, processing, sale, or use of industrial hemp, or seeds of such plant, that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

SEC. 729. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the

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Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 730. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 731. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submis-

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sion shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 732. None of the funds made available by this or any other Act may be used to carry out the final rule promulgated by the Food and Drug Administration and put into effect November 16, 2015, in regards to the hazard analysis and risk-based preventive control requirements of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals rule with respect to the regulation of the production, distribution, sale, or receipt of dried spent grain by-products of the alcoholic beverage production process.

SEC. 733. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 734. None of the funds made available by this Act may be used by the Secretary of Agriculture, acting through the Food and Nutrition Service, to commence any new research and evaluation projects until the Secretary submits to the Committees on Appropriations of both

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Houses of Congress a research and evaluation plan for fiscal year 2019, prepared in coordination with the Research, Education, and Economics mission area of the Department of Agriculture, and a period of 30 days beginning on the date of the submission of the plan expires to permit Congressional review of the plan.

SEC. 735. There is hereby appropriated $10,000,000, to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary may allow eligible entities, or comparable entities that provide energy efficiency services using their own billing mechanism to offer loans to customers in any part of their service territory and to offer loans to replace a manufactured housing unit with another manufactured housing unit, if replacement would be more cost effective in saving energy.

SEC. 736. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

(A) veterinary control and oversight;

(B) disease history and vaccination practices;

(C) livestock demographics and traceability;

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(D) epidemiological separation from potential sources of infection;

(E) surveillance practices;

(F) diagnostic laboratory capabilities; and

(G) emergency preparedness and response; and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

(b) This section shall be applied in a manner consistent with United States obligations under its international trade agreements.

SEC. 737. No food that bears or contains partially hydrogenated oils (as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall be considered to be adulterated within the meaning of subsection (a)(1) or (a)(2)(C)(i) of section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because such food contains such partially hydrogenated oils until the applicable compliance dates specified by FDA in the Federal Register on May 21, 2018 (83 Fed. Reg. 23358 et seq.).

SEC. 738. For fiscal years 2019 through 2025, the Administrators of the Agricultural Research Service and

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the Animal and Plant Health Inspection Service may make not to exceed 50 appointments in any fiscal year for employees of such agencies at the National Bio- and Agro-defense Facility (NBAF) in Manhattan, Kansas: *Provided*, That such appointments may be made in the manner provided by 7 U.S.C. 7657(b)(4)(A)(i–v): *Provided further*, That such appointments may be made at a rate of basic pay that exceeds the rate payable for such positions under the General Schedule or other applicable schedule, as appropriate, but may not be more than the rate payable for a position at level I of the Executive Schedule, unless the rate is approved by the President under section 5377(d)(2) of title 5.

SEC. 739. There is hereby appropriated $1,000,000 for the Secretary to carry out a pilot program that provides forestry inventory analysis, forest management and economic outcomes modelling for certain currently enrolled Conservation Reserve Program participants. The Secretary shall allow the Commodity Credit Corporation to enter into agreements with and provide grants to qualified non-profit organizations dedicated to conservation, forestry and wildlife habitats, that also have experience in conducting accurate forest inventory analysis through the use of advanced, cost-effective technology. The Secretary shall focus the analysis on lands enrolled for at least eight

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years and located in areas with a substantial concentration of acres enrolled under conservation practices devoted to multiple bottomland hardwood tree species including CP03, CP03A, CP11, CP22, CP31 and CP40.

SEC. 740. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement non-renewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 741. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 742. None of the funds made available by this Act may be used to carry out any activities or incur any expense related to the issuance of licenses under section 3 of the Animal Welfare Act (7 U.S.C. 2133), or the renewal of such licenses, to class B dealers who sell dogs and cats for use in research, experiments, teaching, or testing.

SEC. 743. There is appropriated $6,000,000 to the Commodity Credit Corporation, in addition to amounts otherwise made available, for section 1110(f)(3) of the Food Security Act of 1985 (7 U.S.C. 1736o(f)(3)).

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SEC. 744. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the "Secretary") or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

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(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Secretary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Secretary or the designee shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Department.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for "Rural Utilities Service—Rural Water and Waste Disposal Program Account" for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering plans and specifications

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include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms "United States" and "State" shall include each of the several States, the District of Columbia, and each federally recognized Indian tribe.

SEC. 745. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2019, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones.

SEC. 746. There is hereby appropriated $1,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide

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technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 747. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 748. (a) The Secretary of Agriculture (referred to in this section as the "Secretary") shall carry out a pilot program during fiscal year 2019 with respect to the 2018 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some of the State Farm Service Agency offices in each State the opportunity to provide agricultural producers in the State a supplemental payment described in subsection (c) based on the alternate calculation method described in

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subsection (b) for 1 or more counties in a State if the office for that State determines that the alternate calculation method is necessary to ensure that, to the maximum extent practicable, there are not significant yield calculation disparities between comparable counties in the State.

(b) The alternate calculation method referred to in subsection (a) is a method of calculating the actual yield for the 2018 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), under which—

(1) county data of the National Agricultural Statistics Service (referred to in this section as "NASS data") is used for the calculations;

(2) if there is insufficient NASS data for a county (as determined under standards of the Secretary in effect as of the date of enactment of this Act) or the available NASS data produces a substantially disparate result, the calculation of the county yield is determined using comparable contiguous county NASS data as determined by the Farm Service Agency office in the applicable State; and

(3) if there is insufficient NASS data for a comparable contiguous county (as determined under standards of the Secretary in effect as of the date

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of enactment of this Act), the calculation of the county yield is determined using reliable yield data from other sources, such as Risk Management Agency data, National Agricultural Statistics Service district data, National Agricultural Statistics Service State yield data, or other data as determined by the Farm Service Agency office in the applicable State.

(c)(1) A supplemental payment made under the pilot program established under this section may be made to an agricultural producer who is subject to the alternate calculation method described in subsection (b) if that agricultural producer would otherwise receive a county-level agriculture risk coverage payment for the 2018 crop year in an amount that is less than the payment that the agricultural producer would receive under the alternate calculation method.

(2) The amount of a supplemental payment to an agricultural producer under this section may not exceed the difference between—

(A) the payment that the agricultural producer would have received without the alternate calculation method described in subsection (b); and

(B) the payment that the agricultural producer would receive using the alternate calculation method.

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(d)(1) There is appropriated to the Secretary, out of funds of the Treasury not otherwise appropriated, $5,000,000, to remain available until September 30, 2020, to carry out the pilot program described in this section.

(2) Of the funds appropriated, the Secretary shall use not more than $5,000,000 to carry out the pilot program described in this section.

(e)(1) To the maximum extent practicable, the Secretary shall select States to participate in the pilot program under this section so the cost of the pilot program equals the amount provided under subsection (d).

(2) To the extent that the cost of the pilot program exceeds the amount made available, the Secretary shall reduce all payments under the pilot program on a pro rata basis.

(f) Nothing in this section affects the calculation of actual yield for purposes of county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than payments made in accordance with the pilot program under this section.

(g) A calculation of actual yield made using the alternate calculation method described in subsection (b) shall not be used as a basis for any agriculture risk coverage payment determinations under section 1117 of the Agri-

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cultural Act of 2014 (7 U.S.C. 9017) other than for purposes of the pilot program under this section.

SEC. 749. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United States from the People's Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 750. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

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SEC. 751. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 752. Of the total amounts made available by this Act for direct loans and grants in the following headings: "Rural Housing Service—Rural Housing Insurance Fund Program Account"; "Rural Housing Service—Mutual and Self-Help Housing Grants"; "Rural Housing Service—Rural Housing Assistance Grants"; "Rural Housing Service—Rural Community Facilities Program Account"; "Rural Business-Cooperative Service—Rural Business Program Account"; "Rural Business-Cooperative Service—Rural Economic Development Loans Program Account"; "Rural Business-Cooperative Service—Rural Cooperative Development Grants"; "Rural Utilities Service—Rural Water and Waste Disposal Program Account"; "Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account"; and "Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program", to the maximum extent

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feasible, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: *Provided*, That for purposes of this section, the term "persistent poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: *Provided further*, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 753. (a) No funds shall be used to finalize the proposed rule entitled "Eligibility of the People's Republic of China (PRC) to Export to the United States Poultry Products from Birds Slaughtered in the PRC" published in the Federal Register by the Department of Agriculture on June 16, 2017 (82 Fed. Reg. 27625), unless the Secretary of Agriculture shall—

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(1) ensure that the poultry slaughter inspection system for the PRC is equivalent to that of the United States;

(2) ensure that, before any poultry products can enter the United States from any such poultry plant, such poultry products comply with all other applicable requirements for poultry products in interstate commerce in the United States;

(3) conduct periodic verification reviews and audits of any such plants in the PRC intending to export into the United States processed poultry products;

(4) conduct re-inspection of such poultry products at United States ports-of-entry to check the general condition of such products, for the proper certification and labeling of such products, and for any damage to such products that may have occurred during transportation; and

(5) ensure that shipments of any such poultry products selected to enter the United States are subject to additional re-inspection procedures at appropriate levels to verify that the products comply with relevant Federal regulations or standards, including examinations for product defects and laboratory analyses to detect harmful chemical residues or

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pathogen testing appropriate for the products involved.

(b) This section shall be applied in a manner consistent with obligations of the United States under any trade agreement to which the United States is a party.

SEC. 754. In addition to any other funds made available in this Act or any other Act, there is appropriated $5,000,000 to carry out section 18(g)(8) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)), to remain available until expended.

SEC. 755. None of the funds made available by this Act may be used by the Food and Drug Administration to develop, issue, promote, or advance any regulations applicable to food manufacturers for population-wide sodium reduction actions or to develop, issue, promote or advance final guidance applicable to food manufacturers for long term population-wide sodium reduction actions until the date on which a dietary reference intake report with respect to sodium is completed.

SEC. 756. There is hereby appropriated $2,000,000, to remain available until September 30, 2020, for the cost of loans and grants that is consistent with section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and pre-

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serve quality jobs, and to revitalize low-income communities.

SEC. 757. For an additional amount for "Animal and Plant Health Inspection Service—Salaries and Expenses", $8,500,000, to remain available until September 30, 2020, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 758. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled "Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption," and published on November 27, 2015, with respect to the regulation of the production, distribution, sale, or receipt of grape varietals that are grown, harvested and used solely for wine and receive commercial processing that adequately reduces the presence of microorganisms of public health significance.

SEC. 759. None of the funds made available by this Act may be used to revoke an exception made—

(1) pursuant to the final rule of the Department of Agriculture entitled "Exceptions to Geographic Areas for Official Agencies Under the

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USGSA" (68 Fed. Reg. 19137 (April 18, 2003)); and

(2) on a date before April 14, 2017.

SEC. 760. For school year 2019–2020, only a school food authority that had a negative balance in the nonprofit school food service account as of December 31, 2018, shall be required to establish a price for paid lunches in accordance with Section 12(p) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(p).

SEC. 761. There is hereby appropriated $16,000,000, to remain available until expended, for an additional amount for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., to help address the opioid epidemic in rural America.

SEC. 762. (a) There is hereby appropriated $125,000,000, to remain available until expended, for an additional amount for Sec. 779 of Public Law 115–141.

(b) Section 313 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 940c), shall be applied for fiscal year 2019 and each fiscal year thereafter until the specified funding has been expended as if the following were inserted after the final period in subsection (b)(2): "In addition, the Secretary shall use $425,000,000 of funds available in this subaccount in fiscal year 2019 for an additional amount for the same purpose and under the

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same terms and conditions as funds appropriated by Sec. 779 of Public Law 115–141.": *Provided*, That any use of such funds shall be treated as a reprogramming of funds under section 716 of this Act.

SEC. 763. For an additional amount for the cost of direct loans and grants made under the "Rural Water and Waste Disposal Program Account", $75,000,000, to remain available until expended.

SEC. 764. There is hereby appropriated $5,000,000, to remain available until September 30, 2020, for a pilot program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and enhance farming and ranching opportunities for military veterans.

SEC. 765. Not later than September 30, 2019, the Secretary of Health and Human Services shall finalize the draft guidance for industry entitled "Bacterial Risk Control Strategies for Blood Collection Establishments and Transfusion Services to Enhance the Safety and Availability of Platelets for Transfusion" issued by the Food and Drug Administration in March of 2016.

SEC. 766. Not later than 180 days after the date of the enactment of this section, the Secretary of Agriculture shall submit a report to the Committees on Appropriations of both Houses of Congress that includes a summary of

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the process used in establishing the 2020-2025 Dietary Guidelines for Americans published pursuant to section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341) and an explanation with respect to the decision to incorporate or exclude in such Dietary Guidelines for Americans recommendations from the report by the National Academies of Science, Engineering, and Medicine entitled "Redesigning the Process for Establishing the Dietary Guidelines for Americans" and issued September, 2017.

SEC. 767. None of the funds made available by this Act shall be used to implement, administer, or enforce the requirement in the final rule entitled "Food Labeling: Revision of the Nutrition and Supplement Facts Labels", published in the Federal Register on May 27, 2016 (81 Fed. Reg. 33742), that any single ingredient sugar, honey, agave, or syrup (including maple syrup) that is packaged and offered for sale as a single ingredient food bear the declaration "Includes 'X'g Added Sugars".

SEC. 768. None of the funds made available by this Act may be used to implement or enforce the matter following the first comma in the second sentence of footnote (c) of section 220.8(c) of title 7, Code of Federal Regulations, with respect to the substitution of vegetables for fruits under the school breakfast program established

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under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

SEC. 769. The Secretary of Agriculture shall provide to any State or county impacted by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018 in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) technical assistance—

(1) to assess damage to agricultural production and rural infrastructure; and

(2) to develop recovery plans for impacted farmers, ranchers, and rural communities.

SEC. 770. (a) The Secretary of Agriculture, in coordination with the Administrator of the National Oceanic and Atmospheric Administration, shall establish a working group (referred to in this section as the "working group")—

(1) to study how mangroves, kelp forests, tidal marshes, and seagrass meadows could help deacidify the oceans;

(2) to study emerging ocean farming practices that use kelp and seagrass to deacidify the oceans while providing feedstock for agriculture and other commercial and industrial inputs; and

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(3) to coordinate and conduct research to develop and enhance pilot-scale research for farming of kelp and seagrass in order—

(A) to deacidify ocean environments;

(B) to produce a feedstock for agriculture; and

(C) to develop other scalable commercial applications for kelp, seagrass, or products derived from kelp or seagrass.

(b) The working group shall include—

(1) the Secretary of Agriculture;

(2) the Administrator of the National Oceanic and Atmospheric Administration;

(3) representatives of any relevant offices within the National Oceanic and Atmospheric Administration; and

(4) the Assistant Secretary of Energy for Energy Efficiency and Renewable Energy.

(c) Not later than 2 years after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(1) the findings of the research described in subsection (a);

(2) the results of the pilot-scale research described in subsection (a)(3); and

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(3) any policy recommendations based on those findings and results.

SEC. 771. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report describing the ways in which conservation programs administered by the Natural Resources Conservation Service may be better used for the conservation of ocelots (Leopardus pardalis) and any action taken by the Chief of the Natural Resources Conservation Service relating to the conservation of ocelots.

SEC. 772. Not later than 1 year after the date of enactment of this Act, the Rural Housing Service of the Department of Agriculture shall submit to Congress a report including—

(1) a description of—

(A) the number of properties assisted under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.) that are reaching the end of their loan term;

(B) the location of each property described in subparagraph (A);

(C) the number of units in each property described in subparagraph (A); and

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(D) the date on which each the loan for each property described in subparagraph (A) is expected to reach maturity;

(2) the strategy of the Rural Housing Service to preserve the long-term affordability of the properties described in paragraph (1)(A) when the loan matures; and

(3) a description of the resources and tools that the Rural Housing Service needs from Congress in order to preserve the long-term affordability of the properties described in paragraph (1) (A).

SEC. 773. Out of amounts appropriated to the Food and Drug Administration under title VI, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall, not later than July 1, 2019, and following the review required under Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review), issue advice revising the advice provided in the notice of availability entitled "Advice About Eating Fish, From the Environmental Protection Agency and Food and Drug Administration; Revised Fish Advice; Availability" (82 Fed. Reg. 6571 (January 19, 2017)), in a manner that is consistent with nutrition science recognized by the Food and Drug Administration on the net effects of seafood consumption.

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SEC. 774. In addition to any funds made available in this Act or any other Act, there is hereby appropriated $5,000,000, to remain available until September 30, 2020, for grants from the National Institute of Food and Agriculture to the 1890 Institutions to support the Centers of Excellence.

SEC. 775. Section 6(e)(1)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(e)(1)(B)) is amended by striking "September 30, 2020" and inserting "September 30, 2018".

SEC. 776. During fiscal year 2019, the Food and Drug Administration shall not allow the introduction or delivery for introduction into interstate commerce of any food that contains genetically engineered salmon until the FDA publishes final labeling guidelines for informing consumers of such content.

SEC. 777. In addition to funds appropriated in this Act, there is hereby appropriated $216,000,000, to remain available until expended, under the heading "Food for Peace Title II Grants": *Provided*, That the funds made available under this section shall be used for the purposes set forth in the Food for Peace Act for both emergency and non-emergency purposes.

SEC. 778. There is appropriated to the "Farm Service Agency" $9,000,000 for purposes of making payments

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to producers impacted by an oriental fruit fly quarantine as referenced in H.Rpt.115-232 to remain available until expended: *Provided*, That of the unobligated balances available under Treasury symbol code 12 18/19 0600, $5,000,000 are rescinded.

SEC. 779. In administering the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141), the Secretary of Agriculture shall—

(1) ensure that applicants that are determined to be ineligible for the pilot program have a means of appealing or otherwise challenging that determination in a timely fashion; and

(2) in determining whether an entity may overbuild or duplicate broadband expansion efforts made by any entity that has received a broadband loan from the Rural Utilities Service, not consider loans that were rescinded or defaulted on, or loans the terms and conditions of which were not met, if the entity under consideration has not previously defaulted on, or failed to meet the terms and conditions of, a Rural Utilities Service loan or had a Rural Utilities Service loan rescinded.

SEC. 780. For the cost of loans and grants, $3,000,000 under the same terms and conditions as au-

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thorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s): *Provided*, That such costs of loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019".

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Xerox

DIVISION C—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; pay-

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ment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $495,000,000, to remain available until September 30, 2020, of which $11,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

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BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Control Reform Act of 2018 (subtitle B of title XVII of the John S. McCain National Defense Authorization Act for Fiscal Year 2019; Public Law 115–232; 132 Stat. 2208; 50 U.S.C. 4801 et seq.), and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $118,050,000, to re-

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main available until expended, except that of the amount appropriated, not less than $4,550,000 shall remain available until September 30, 2019, and shall only be available for contractor support to implement the product exclusion process for articles covered by actions taken under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862): *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments: *Provided further*, That the Secretary of Commerce may transfer up to $2,000,000 to this account, from funds available for "Departmental Management, Salaries and Expenses" or for "Departmental Management, Renovation and Modernization": *Provided further*, That any funds transferred pursuant to the previous proviso shall remain available until September 30, 2019, and shall only be available for

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contractor support to implement the product exclusion process for articles covered by actions taken under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862): *Provided further*, That such transfer authority is in addition to any other transfer authority contained in this Act: *Provided further*, That any such transfer shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, and for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $265,000,000, to remain available until expended, of which $23,500,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $39,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the

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Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $40,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $101,000,000, to remain available until September 30, 2020.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $270,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

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PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics for periodic censuses and programs provided for by law, $3,551,388,000, to remain available until September 30, 2021: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $3,556,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census: *Provided further*, That not more than 50 percent of the amounts made available under this heading for information technology related to 2020 census delivery, including the Census Enterprise Data Collection and Processing (CEDCaP) program, may be obligated until the Secretary updates the previous expenditure plan and resubmits to the Committees on Appropriations of the House of Representatives and the Senate a plan for expenditure that: (1) identifies for each CEDCaP project/investment over $25,000: (A) the functional and performance capabilities to be delivered and the mission benefits to be realized; (B) an updated estimated lifecycle cost, including cumulative expenditures to date by

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fiscal year, and all revised estimates for development, maintenance, and operations; (C) key milestones to be met; and (D) impacts of cost variances on other Census programs; (2) details for each project/investment: (A) reasons for any cost and schedule variances; and (B) top risks and mitigation strategies; and (3) has been submitted to the Government Accountability Office.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $39,500,000, of which not to exceed $15,000,000 shall remain available until September 30, 2020: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activi-

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ties by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,370,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2019, so as to result in a fiscal year 2019 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2019, should the total amount of

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such offsetting collections be less than $3,370,000,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,370,000,000 in fiscal year 2019 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office "Salaries and Expenses" account: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2019 for official reception and representation expenses: *Provided further*, That in fiscal year 2019 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and

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the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts ap-

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propriated, $1,500,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the National Institute of Standards and Technology (NIST), $724,500,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the "Working Capital Fund": *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $155,000,000, to remain available until expended, of which $140,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $15,000,000 shall be for the National Network for Manufacturing Innovation (also known as "Manufacturing USA").

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CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $106,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration,

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including maintenance, operation, and hire of aircraft and vessels; pilot programs for state-led fisheries management, notwithstanding any other provision of law; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,596,997,000, to remain available until September 30, 2020: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $157,980,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program; Fisheries Data Collections, Surveys and Assessments; and Interjurisdictional Fisheries Grants: *Provided further*, That of the $3,772,477,000 provided for in direct obligations under this heading, $3,596,997,000 is appropriated from the general fund, $157,980,000 is provided by transfer, and $17,500,000 is derived from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the

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joint explanatory statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents' Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,755,349,000, to remain available until September 30, 2021, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: *Provided*, That of the $1,768,349,000 provided for in direct obligations under this heading, $1,755,349,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the joint explanatory statement accompanying this Act,

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or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,302,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2020: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon,

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Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $349,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERY DISASTER ASSISTANCE

For the necessary expenses associated with the mitigation of fishery disasters, $15,000,000 to remain available until expended: *Provided*, That funds shall be used

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for mitigating the effects of commercial fishery failures and fishery resource disasters as declared by the Secretary of Commerce.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $63,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $34,744,000: *Provided*, That notwithstanding section 6413(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96), $2,000,000, to remain available until expended, from the amounts provided under this heading, shall be derived from the Public Safety Trust Fund for

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activities associated with carrying out investigations and audits related to the First Responder Network Authority (FirstNet).

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred be-

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tween such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2019: *Provided*, That the life cycle cost for the Joint Polar Satellite System is $11,322,125,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is $10,828,059,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not

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limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency,

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or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 109. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3) receive and expend funds made available on a consensual basis from: a Federal agency, State or subdivision thereof, local govern-

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ment, tribal government, territory, or possession or any subdivisions thereof: *Provided*, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" and shall remain available until September 30, 2021, for such purposes: *Provided further*, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

SEC. 110. Amounts provided by this Act or by any prior appropriations Act that remain available for obligation, for necessary expenses of the programs of the Economics and Statistics Administration of the Department of Commerce, including amounts provided for programs of the Bureau of Economic Analysis and the Bureau of the Census, shall be available for expenses of cooperative agreements with appropriate entities, including any Federal, State, or local governmental unit, or institution of higher education, to aid and promote statistical, research, and methodology activities which further the purposes for which such amounts have been made available.

SEC. 111. Section 110(a) of the Department of Commerce Appropriations Act, 2016 (Public Law 114–113) is amended—

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(1) by striking "management is" and inserting "management is: (1)"; and

(2) by striking "subsection (b)." and inserting "subsection (b); or (2) for law enforcement activities conducted by States under a joint enforcement agreement pursuant to section 311(h) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(h)), any other agreement with the Secretary entered into pursuant to section 311(a) of such Act, or any similar agreement authorized by law.".

SEC. 112. Title II of Division B of Public Law 115–123 is amended by striking "Federal" each place it appears under the heading "Department of Commerce—National Oceanic and Atmospheric Administration".

This title may be cited as the "Department of Commerce Appropriations Act, 2019".

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TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $113,000,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $32,000,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $40,000,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act: *Provided further*, That any transfer pursuant to the first proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available

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for obligation or expenditure except in compliance with the procedures set forth in that section.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of immigration-related activities of the Executive Office for Immigration Review, $563,407,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account, and of which not less than $11,400,000 shall be available for services and activities provided by the Legal Orientation Program: *Provided*, That not to exceed $35,000,000 of the total amount made available under this heading shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $101,000,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $13,000,000: *Provided*, That, notwithstanding any other provision of law, upon the expi-

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ration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; the administration of pardon and clemency petitions; and rent of private or Government-owned space in the District of Columbia, $904,000,000, of which not to exceed $20,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the amount provided for INTERPOL Washington dues payments, not to exceed $685,000 shall remain available until expended: *Provided further*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts

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to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended: *Provided further*, That of the amount appropriated, not less than $193,715,000 shall be available for the Criminal Division, including related expenses for the Mutual Legal Assistance Treaty Program.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986,

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not to exceed $10,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $164,977,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $136,000,000 in fiscal year 2019), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at $28,977,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $2,212,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*,

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That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $226,000,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, deposits to the United States Trustee System Fund and amounts herein appropriated shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, fees deposited into the Fund pursuant to section 589a(b) of title 28, United States Code (as limited by section 1004(b) of the Bankruptcy Judgeship Act of 2017 (division B of Public Law 115–72)), shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That to the extent that fees deposited into the Fund in fiscal year 2019, net of amounts necessary to pay refunds due depositors, exceed $226,000,000, those excess amounts shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further*, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2019, net of amounts necessary to pay refunds due deposi-

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tors, (estimated at $360,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from amounts deposited in the Fund in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,409,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $18,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve

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the identities and locations of protected witnesses: *Provided*, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $15,500,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States

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Code, $20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,358,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $25,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $15,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,552,397,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System.

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NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, $101,369,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking organizations, transnational organized crime, and money laundering or-

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ganizations not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in transnational organized crime and drug trafficking, $560,000,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $9,192,137,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses: *Provided further*, That in addition to other funds provided for Construction projects, the Federal Bureau of Investigation may use up to $150,000,000 appropriated in prior years under this heading for all costs related to construction, renovation, and modification of federally owned and leased space and expansion of network capabilities.

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CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of federally owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $385,000,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,267,000,000, of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses: *Provided*, That the Drug Enforcement Administration may use up to $5,700,000 appropriated in prior

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year funds under this heading for necessary expenses of construction.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,316,678,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of

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title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $7,250,000,000: *Provided*, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for offi-

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cial reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2020: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites, and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or

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force account, $264,000,000, to remain available until expended, of which $175,000,000 shall be available only for costs related to construction of new facilities: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost

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of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) ("the 2000 Act"); the Violence Against Women and Department of Justice Reauthorization Act

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of 2005 (Public Law 109–162) ("the 2005 Act"); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and the Rape Survivor Child Custody Act of 2015 (Public Law 114–22) ("the 2015 Act"); and for related victims services, $497,500,000, to remain available until expended, which shall be derived by transfer from amounts available for obligation in this Act from the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101), notwithstanding section 1402(d) of such Act of 1984, and merged with the amounts otherwise made available under this heading: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $215,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $36,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,000,000 is for the National Institute of Justice and the Bureau of Justice Statistics for re-

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search, evaluation, and statistics of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) $11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303, and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

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(5) $53,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $37,500,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $42,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $20,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $45,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $5,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $16,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of

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the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) $6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $1,000,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(15) $500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women;

(16) $4,000,000 is for grants to assist tribal governments in exercising special domestic violence criminal jurisdiction, as authorized by section 904 of the 2013 Act: *Provided*, That the grant conditions in

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section 40002(b) of the 1994 Act shall apply to this program; and

(17) $1,500,000 is for the purposes authorized under the 2015 Act.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the

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NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and other programs, $80,000,000, to remain available until expended, of which—

(1) $43,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which $5,000,000 is for a nationwide incident-based crime statistics program; and

(2) $37,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act, of which $4,000,000 is for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention; $1,000,000 is for research to study the root causes of school violence to include the impact and effectiveness of grants made under the STOP School Violence Act; $1,000,000 is for a study to better protect children against online predatory behavior as part of the National Juvenile Online Victimization

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Studies (N–JOVS); and $3,000,000 is for a national center for restorative justice.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984

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(Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198) ("CARA"); the Justice for All Reauthorization Act of 2016 (Public Law 114–324); Kevin and Avonte's Law (division Q of Public Law 115–141) ("Kevin and Avonte's Law"); the Keep Young Athletes Safe Act of 2018 (title III of division S of Public Law 115–141) ("the Keep Young Athletes Safe Act"); the STOP School Violence Act of 2018 (title V of division S of Public Law 115–141) ("the STOP School Violence Act"); the Fix NICS Act of 2018 (title VI of division S of Public Law 115–141); the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (Public Law 115–185); and the SUPPORT for Patients and Communities Act (Public Law 115–271); and other programs, $1,723,000,000, to remain available until expended as follows—

(1) $423,500,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the

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1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $12,000,000 is for the Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $7,500,000 is for an initiative to support evidence-based policing, $8,000,000 is for an initiative to enhance prosecutorial decision-making, $2,400,000 is for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System, $2,500,000 is for an academic based training initiative to improve police-based responses to people with mental illness or developmental disabilities, $2,000,000 is for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315, $15,500,000 is for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), $2,000,000 is for a grant program authorized by Kevin and Avonte's Law, $3,000,000 is for a regional law enforcement technology initiative, $20,000,000 is for programs to reduce gun crime and gang violence, as authorized by Public Law

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115–185, $5,000,000 is for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review, $2,000,000 is for emergency law enforcement assistance for events occurring during or after fiscal year 2019, as authorized by section 609M of the Justice Assistance Act of 1984 (34 U.S.C. 50101), $2,000,000 is for grants to States and units of local government to deploy managed access systems to combat contraband cell phone use in prison, $2,000,000 is for a program to improve juvenile indigent defense, and $8,000,000 is for community-based violence prevention initiatives;

(2) $243,500,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $85,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, for programs au-

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thorized under Public Law 109–164, or programs authorized under Public Law 113–4;

(4) $14,000,000 for economic, high technology, white collar, and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403, of which $2,500,000 is for competitive grants that help State and local law enforcement tackle intellectual property thefts, and $2,000,000 for a competitive grant program for training students in computer forensics and digital investigation;

(5) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(6) $25,000,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(7) $1,000,000 for the National Sex Offender Public Website;

(8) $75,000,000 for grants to States to upgrade criminal and mental health records for the

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National Instant Criminal Background Check System, of which no less than $25,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180) and Fix NICS Act of 2018;

(9) $30,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(10) $130,000,000 for DNA-related and forensic programs and activities, of which—

(A) $120,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $6,000,000 is for the purposes described in the Kirk Bloodsworth Post-Convic-

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tion DNA Testing Grant Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(11) $48,000,000 for a grant program for community-based sexual assault response reform;

(12) $12,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(13) $37,500,000 for assistance to Indian tribes;

(14) $87,500,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed $6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, $5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy, and $4,000,000 is for additional replication sites employing the Project HOPE Opportunity Probation with

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Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(15) $66,500,000 for initiatives to improve police-community relations, of which $22,500,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and Tribal law enforcement, $27,000,000 is for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, and $17,000,000 is for an Edward Byrne Memorial criminal justice innovation program;

(16) $347,000,000 for comprehensive opioid abuse reduction activities, including as authorized by CARA, and for the following programs, which shall address opioid abuse reduction consistent with underlying program authorities—

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(A) $77,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(B) $31,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(C) $30,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(D) $22,000,000 for a veterans treatment courts program;

(E) $30,000,000 for a program to monitor prescription drugs and scheduled listed chemical products; and

(F) $157,000,000 for a comprehensive opioid abuse program;

(17) $2,500,000 for a competitive grant program authorized by the Keep Young Athletes Safe Act; and

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(18) $75,000,000 for grants to be administered by the Bureau of Justice Assistance for purposes authorized under the STOP School Violence Act:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); the Violence Against Women

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Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); the Justice for All Reauthorization Act of 2016 (Public Law 114-324); and other juvenile justice programs, $287,000,000, to remain available until expended as follows—

(1) $60,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $95,000,000 for youth mentoring grants;

(3) $24,500,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $5,000,000 shall be for the Tribal Youth Program;

(B) $500,000 shall be for an Internet site providing information and resources on children of incarcerated parents;

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(C) $2,000,000 shall be for competitive grants focusing on girls in the juvenile justice system;

(D) $9,000,000 shall be for an opioid-affected youth initiative; and

(E) $8,000,000 shall be for an initiative relating to children exposed to violence;

(4) $22,500,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $82,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act); and

(6) $3,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (3) and (6) may be used for training and technical assistance: *Provided further*, That the two preceding provisos shall not

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apply to grants and projects administered pursuant to sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $24,800,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); and the SUPPORT for Patients and Communities Act (Public Law 115–271), $303,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided under this heading—

(1) $228,500,000 is for grants under section 1701 of title I of the 1968 Act (34 U.S.C. 10381) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (34 U.S.C. 10384(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a

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waiver from this limitation: *Provided further*, That within the amounts appropriated under this paragraph, $27,000,000 is for improving tribal law enforcement, including hiring, equipment, training, anti-methamphetamine activities, and anti-opioid activities: *Provided further*, That of the amounts appropriated under this paragraph, $6,500,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That of the amounts appropriated under this paragraph $37,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act, which shall be transferred to and merged with "Research, Evaluation, and Statistics" for administration by the Office of Justice Programs: *Provided further*, That within the amounts appropriated under this paragraph, no less than $3,000,000 is to support the Tribal Access Program: *Provided further*, That within the amounts appropriated under this paragraph, $2,000,000 is for training, peer mentoring, and mental health program activities as authorized under the Law Enforcement Mental Health and Wellness Act (Public Law 115–113);

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(2) $10,000,000 is for activities authorized by the POLICE Act of 2016 (Public Law 114–199);

(3) $8,000,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: *Provided*, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers;

(4) $32,000,000 is for competitive grants to statewide law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids: *Provided*, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including activities related to the distribution of heroin or unlawful distribution of prescription opioids, or unlawful heroin and prescription opioid traffickers through statewide collaboration; and

(5) $25,000,000 is for competitive grants to be administered by the Community Oriented Policing Services Office for purposes authorized under the

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STOP School Violence Act (title V of division S of Public Law 115–141).

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way dimin-

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ishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 207. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or elec-

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tronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 208. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 209. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the joint explanatory statement accompanying this Act, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 210. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process,

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or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 211. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 212. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2.5 percent of funds made available for grant or reimbursement programs under such

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headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 213. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2016 through 2019 for the following programs, waive the following requirements:

(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631 et seq.), the requirements under section 2976(g)(1) of such part (34 U.S.C. 10631(g)(1)).

(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (34 U.S.C. 10631 et seq.), the requirements under sec-

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tion 2978(e)(1) and (2) of such part (34 U.S.C. 10633(e)(1) and (2)).

(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (34 U.S.C. 10581), the requirements under the second sentence of section 2901(f) of such part (34 U.S.C. 10581(f)).

SEC. 214. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12109(a)) shall not apply to amounts made available by this or any other Act.

SEC. 215. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 216. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.

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527 note) shall be available for obligation during fiscal year 2019, except up to $12,000,000 may be obligated for implementation of a unified Department of Justice financial management system.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2019, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2019, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

SEC. 217. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partner-

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ship Pilots in an appropriations Act for fiscal years 2018 and 2019.

This title may be cited as the "Department of Justice Appropriations Act, 2019".

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TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,544,000.

NATIONAL SPACE COUNCIL

For necessary expenses of the National Space Council, in carrying out the purposes of Title V of Public Law 100–685 and Executive Order 13803, hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, $1,965,000: *Provided*, That notwithstanding any other provision of law, the National Space Council may accept personnel support from Federal agencies, departments, and offices, and such Federal agencies, departments, and offices may detail staff without reimbursement to the National Space Council for purposes provided herein.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $6,905,700,000, to remain available until September 30, 2020: *Provided*, That, of the amounts provided, $545,000,000 is for an orbiter and $195,000,000 is for a lander to meet the science goals for the Jupiter Europa mission as recommended in previous Planetary Science Decadal surveys: *Provided further*, That the National Aeronautics and Space Administration shall use the Space Launch System as the launch vehicles for the Jupiter Europa missions, plan for an orbiter launch no later than 2023 and a lander launch no later than 2025, and include in the fiscal year 2020 budget the 5-year funding profile necessary to achieve these goals.

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AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $725,000,000, to remain available until September 30, 2020.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space technology research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and

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purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $926,900,000, to remain available until September 30, 2020: *Provided*, That $180,000,000 shall be for RESTORE–L.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,050,800,000, to remain available until September 30, 2020: *Provided*, That not less than $1,350,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $2,150,000,000 shall be for the Space Launch System (SLS) launch vehicle, which shall have a lift capability not less than 130 metric tons and which shall have core elements and an Exploration Upper Stage developed simultaneously: *Provided further*, That of the amounts provided

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for SLS, not less than $150,000,000 shall be for Exploration Upper Stage development: *Provided further*, That $592,800,000 shall be for Exploration Ground Systems, including $48,000,000 for a second mobile launch platform and associated SLS activities: *Provided further*, That the National Aeronautics and Space Administration (NASA) shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5-year budget profile for an integrated system that includes the Space Launch System, the Orion Multi-Purpose Crew Vehicle, and associated ground systems that will ensure an Exploration Mission-2 crewed launch as early as possible, as well as a system-based funding profile for a sustained launch cadence beyond the initial crewed test launch: *Provided further*, That $958,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management;

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personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $4,639,100,000, to remain available until September 30, 2020.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ENGAGEMENT

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $110,000,000, to remain available until September 30, 2020, of which $21,000,000 shall be for the Established Program to Stimulate Competitive Research and $44,000,000 shall be for the National Space Grant College and Fellowship Program.

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SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,755,000,000, to remain available until September 30, 2020.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compli-

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ance and restoration, $348,200,000, to remain available until September 30, 2024: *Provided*, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2019 in an amount not to exceed $17,000,000: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $39,300,000, of which $500,000 shall remain available until September 30, 2020.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until a prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be

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transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

The unexpired balances of the "Education" account, for activities for which funds are provided in this Act, may be transferred to the "Science, Technology, Engineering, and Mathematics Engagement" account established in this Act. Balances so transferred shall be merged with the funds in the newly established account, but shall be avail-

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able under the same terms, conditions and period of time as previously appropriated.

Not more than 50 percent of the amounts made available in this Act for the Lunar Orbital Platform; Advanced Cislunar and Surface Capabilities; Commercial LEO Development; and Lunar Discovery and Exploration, excluding the Lunar Reconnaissance Orbiter, may be obligated until the Administrator submits a multi-year plan to the Committees on Appropriations of the House of Representatives and the Senate that identifies estimated dates, by fiscal year, for Space Launch System flights to build the Lunar Orbital Platform; the commencement of partnerships with commercial entities for additional LEO missions to land humans and rovers on the Moon; and conducting additional scientific activities on the Moon. The multi-year plan shall include key milestones to be met by fiscal year to achieve goals for each of the lunar programs described in the previous sentence and funding required by fiscal year to achieve such milestones.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States

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Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $6,520,000,000, to remain available until September 30, 2020, of which not to exceed $544,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $295,740,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science

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Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $910,000,000, to remain available until September 30, 2020.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $329,540,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2019 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia,

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and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,370,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $15,350,000, of which $400,000 shall remain available until September 30, 2020.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The Director of the National Science Foundation (NSF) shall notify the Committees on Appropriations of

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the House of Representatives and the Senate at least 30 days in advance of any planned divestment through transfer, decommissioning, termination, or deconstruction of any NSF-owned facilities or any NSF capital assets (including land, structures, and equipment) valued greater than $2,500,000.

This title may be cited as the "Science Appropriations Act, 2019".

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TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $10,065,000: *Provided*, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the

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Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $379,500,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

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INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $95,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $415,000,000, of which $380,500,000 is for basic field programs and required independent audits; $5,100,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $19,400,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,500,000 is for a Pro Bono Innovation Fund; and $1,500,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United

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States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996d(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2018 and 2019, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,516,000.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $53,000,000, of which $1,000,000 shall remain available until expended: *Provided*, That of the total amount made available under this heading, not to exceed $124,000 shall be available for official reception and representation expenses.

TRADE ENFORCEMENT TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For activities of the United States Trade Representative authorized by section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405), including transfers, $15,000,000, to be derived from the Trade Enforcement Trust Fund: *Provided*, That any transfer pursuant to subsection (d)(1) of such section shall be treated as a reprogramming under section 505 of this Act.

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STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Act of 1984 (42 U.S.C. 10701 et seq.) $5,971,000, of which $500,000 shall remain available until September 30, 2020: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

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TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

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SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

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SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term "promotional items" has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For

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unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use

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of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101) in any fiscal year in excess of $3,353,000,000 shall not be available for obligation until the following fiscal year: *Provided*, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation: (1) $10,000,000 shall remain available until expended to the Department of Justice Office of Inspector General for oversight and auditing purposes; and (2) 5 percent shall be available to

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the Office for Victims of Crime for grants, consistent with the requirements of the Victims of Crime Act, to Indian tribes to improve services for victims of crime.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initi-

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ating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

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(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 514. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST and the Federal Bureau of Investigation (FBI) to inform acquisition decisions for high-impact and

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moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the FBI and other appropriate agencies; and

(3) in consultation with the FBI or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

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(1) developed, in consultation with NIST, the FBI, and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the FBI, that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.

SEC. 515. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 516. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR),

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part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

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(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 517. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny

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any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 518. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States–Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States–Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States–Morocco Free Trade Agreement.

SEC. 519. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act of 1978; The Electronic Communications Privacy Act of 1986; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; USA FREEDOM Act of 2015; and the laws amended by these Acts.

SEC. 520. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aero-

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nautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 521. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C.

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3094) during fiscal year 2019 until the enactment of the Intelligence Authorization Act for fiscal year 2019.

SEC. 522. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 523. (a) Of the unobligated balances from prior year appropriations available to the Department of Commerce, the following funds are hereby rescinded, not later

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than September 30, 2019, from the following accounts in the specified amounts—

(1) "Economic Development Administration, Economic Development Assistance Programs", $10,000,000; and

(2) "National Institute of Standards and Technology, Industrial Technology Services", $2,000,000.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2019, from the following accounts in the specified amounts—

(1) "Working Capital Fund", $151,000,000;

(2) "Federal Bureau of Investigation, Salaries and Expenses", $124,326,000 including from, but not limited to, fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;

(3) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", $10,000,000;

(4) "State and Local Law Enforcement Activities, Office of Justice Programs", $70,000,000;

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(5) "State and Local Law Enforcement Activities, Community Oriented Policing Services", $16,500,000; and

(6) "Legal Activities, Assets Forfeiture Fund", $674,000,000, is permanently rescinded.

(c) The Departments of Commerce and Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2019, specifying the amount of each rescission made pursuant to subsections (a) and (b).

(d) The amounts rescinded in subsections (a) and (b) shall not be from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 524. (a) Any unobligated balances identified in the following Treasury Appropriation Fund Symbols are hereby permanently cancelled: 80X0114; 80X0111; 80X0110; and 80X0112.

(b) Upon enactment of this Act:

(1) obligated balances in 80X0114 shall be transferred to and merged with 80–0130, Construction and Environmental Compliance and Restora-

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tion, and any upward adjustments to such obligations may be made from 80–0130;

(2) obligated balances in 80X0111 shall be transferred to and merged with 80–0122, Safety, Security and Mission Services, 80–0115, Space Flight Capabilities and 80–0130, Construction and Environmental Compliance and Restoration, and any upward adjustments to such obligations may be made from 80–0122, 80–0115 and 80–0130;

(3) obligated balances in 80X0110 shall be transferred to and merged with 80–0130, Construction and Environmental Compliance and Restoration, and any upward adjustments to said obligations may be made from 80–0130; and

(4) obligated balances in 80X0112 shall be transferred to and merged with 80–0122, Safety, Security and Mission Services and 80–0130, Construction and Environmental Compliance and Restoration, and any upward adjustments to such obligations may be made from 80–0122 and 80–0130.

(c) Following the cancellation of unobligated balances and transfer of obligated balances in 80X0114, 80X0111, 80X0110 and 80X0112, such accounts shall be closed. Any collections authorized or required to be credited to these accounts that are not received before closing of such

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accounts shall be deposited in the Treasury as miscellaneous receipts.

SEC. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

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(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 528. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

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SEC. 529. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 530. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA), the Office of Science and

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Technology Policy (OSTP), or the National Space Council (NSC) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA, OSTP, or NSC, after consultation with the Federal Bureau of Investigation, have certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate, and the Federal

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Bureau of Investigation, no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 531. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 532. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication, or other law enforcement- or victim assistance-related activity.

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SEC. 533. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, the National Space Council, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 534. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 535. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or for performance that does not meet the basic requirements of a contract.

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SEC. 536. None of the funds made available by this Act may be used in contravention of section 7606 ("Legitimacy of Industrial Hemp Research") of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.

SEC. 537. None of the funds made available under this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, or with respect to the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

SEC. 538. The Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation shall provide a quarterly report

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to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of such Department or agency, including the purpose of such travel.

SEC. 539. Of the amounts made available by this Act, not less than 10 percent of each total amount provided, respectively, for Public Works grants authorized by the Public Works and Economic Development Act of 1965 and grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) shall be allocated for assistance in persistent poverty counties: *Provided*, That for purposes of this section, the term "persistent poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.

SEC. 540. None of the funds provided in this Act shall be available for obligation for the James Webb Space Telescope (JWST) after December 31, 2019, if the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for JWST determines that the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) are likely to exceed

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$8,802,700,000, unless the program is modified so that the costs do not exceed $8,802,700,000.

SEC. 541. None of the funds made available by this Act may be expended during fiscal year 2019 to prepare for the shutdown of the Stratospheric Observatory for Infrared Astronomy.

This division may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2019".

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DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman's Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, $214,576,000: *Provided*, That of the amount appropriated under this heading—

(1) not to exceed $700,000 is for official reception and representation expenses, of which necessary amounts shall be available for expenses to support activities of the Financial Action Task Force, and

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not to exceed $350,000 shall be for other official reception and representation expenses;

(2) not to exceed $258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

(3) not to exceed $24,000,000 shall remain available until September 30, 2020, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements;

(E) operations and maintenance of facilities; and

(F) international operations.

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OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, $159,000,000: *Provided*, That of the amounts appropriated under this heading, up to $10,000,000 shall remain available until September 30, 2020.

CYBERSECURITY ENHANCEMENT ACCOUNT

For salaries and expenses for enhanced cybersecurity for systems operated by the Department of the Treasury, $25,208,000, to remain available until September 30, 2021: *Provided*, That such funds shall supplement and not supplant any other amounts made available to the Treasury offices and bureaus for cybersecurity: *Provided further*, That the Chief Information Officer of the individual offices and bureaus shall submit a spend plan for each investment to the Treasury Chief Information Officer for approval: *Provided further*, That the submitted spend plan shall be reviewed and approved by the Treasury Chief Information Officer prior to the obligation of funds under this heading: *Provided further*, That of the total amount

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made available under this heading $1,000,000 shall be available for administrative expenses for the Treasury Chief Information Officer to provide oversight of the investments made under this heading: *Provided further*, That such funds shall supplement and not supplant any other amounts made available to the Treasury Chief Information Officer.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $4,000,000, to remain available until September 30, 2021: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further,* That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further,* That none of the funds appropriated under this heading shall be used to support or supplement "Internal Revenue Service, Operations Support" or "Internal Revenue Service, Business Systems Modernization".

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OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $37,044,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to $2,800,000 to remain available until September 30, 2020, shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed $1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at

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such rates as may be determined by the Inspector General for Tax Administration; $170,250,000, of which $5,000,000 shall remain available until September 30, 2020; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $23,000,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regula-

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tion; services authorized by 5 U.S.C. 3109; not to exceed $12,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $117,800,000, of which not to exceed $34,335,000 shall remain available until September 30, 2021.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $338,280,000; of which not to exceed $4,210,000, to remain available until September 30, 2021, is for information systems modernization initiatives; and of which $5,000 shall be available for official reception and representation expenses.

In addition, $165,000, to be derived from the Oil Spill Liability Trust Fund to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $119,600,000; of which not to exceed $6,000 for official reception and representation ex-

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penses; and of which not to exceed $50,000 shall be available for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of accelerating the processing of formula and label applications: *Provided further*, That of the amount appropriated under this heading, $5,000,000, to remain available until September 30, 2020, shall be for the costs associated with enforcement of the trade practice provisions of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: *Provided*, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2019 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,000,000.

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COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvement Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $250,000,000. Of the amount appropriated under this heading—

(1) not less than $160,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2020, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $1,600,000 may be available for training and outreach under section 109 of Public Law 103–325 (12 U.S.C. 4708), of which up to $2,527,250 may be used for the cost of direct loans, and of which up to $3,000,000, notwithstanding subsection (d) of section 108 of Public Law 103–325 (12 U.S.C. 4707 (d)), may be available to provide financial assistance,

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technical assistance, training, and outreach to community development financial institutions to expand investments that benefit individuals with disabilities: *Provided,* That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000;

(2) not less than $16,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2020, for financial assistance, technical assistance, training, and outreach programs designed to benefit Native American, Native Hawaiian, and Alaska Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than $25,000,000 is available until September 30, 2020, for the Bank Enterprise Award program;

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(4) not less than $22,000,000, notwithstanding subsections (d) and (e) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d) and (e)), is available until September 30, 2020, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) up to $27,000,000 is available until September 30, 2019, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than $1,000,000 is for development of tools to better assess and inform CDFI investment performance, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(6) during fiscal year 2019, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*,

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That commitments to guarantee bonds and notes under such section 114A shall not exceed $500,000,000: *Provided further*, That such section 114A shall remain in effect until December 31, 2019: *Provided further*, That of the funds awarded under this heading, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: *Provided further*, That for the purposes of this paragraph and paragraph (1) above, the term "persistent poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the 2011–2015 5-year data series available from the American Community Survey of the Census Bureau.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,491,554,000, of which not less than $9,890,000 shall be for the Tax Counseling for the Elderly

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Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, of which not less than $18,000,000, to remain available until September 30, 2020, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, and of which not less than $207,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,500,000 shall be for identity theft and refund fraud casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,860,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2020, and of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

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OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,724,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2020; of which not to exceed $10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2021, for research; of which not to exceed $20,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the

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cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2020, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $150,000,000, to remain available until September 30, 2021, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and

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schedule performance for major information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

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ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Not to exceed 4 percent of the appropriation made available in this Act to the Internal Revenue Service under the "Enforcement" heading, and not to exceed 5 percent of any other appropriation made available in this Act to the Internal Revenue Service, may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers.

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The Commissioner shall continue to make improvements to the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to enhance the response time to taxpayer communications, particularly with regard to victims of tax-related crimes.

SEC. 105. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 106. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

SEC. 107. None of the funds made available in this Act may be used by the Internal Revenue Service to target groups for regulatory scrutiny based on their ideological beliefs.

SEC. 108. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the proce-

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dures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled "Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California" (Reference Number 2013–10–037).

SEC. 109. None of the funds made available in this Act to the Internal Revenue Service may be obligated or expended—

(1) to make a payment to any employee under a bonus, award, or recognition program; or

(2) under any hiring or personnel selection process with respect to re-hiring a former employee, unless such program or process takes into account the conduct and Federal tax compliance of such employee or former employee.

SEC. 110. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

SEC. 111. Except to the extent provided in section 6014, 6020, or 6201(d) of the Internal Revenue Code of 1986, no funds in this or any other Act shall be available

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to the Secretary of the Treasury to provide to any person a proposed final return or statement for use by such person to satisfy a filing or reporting requirement under such Code.

SEC. 112. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $77,000,000, to be available until September 30, 2020, shall be transferred by the Commissioner to the "Taxpayer Services", "Enforcement", or "Operations Support" accounts of the Internal Revenue Service for an additional amount to be used solely for carrying out Public Law 115–97: *Provided*, That such funds shall not be available until the Commissioner submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 113. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased

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and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 114. Not to exceed 2 percent of any appropriations in this title made available under the headings "Departmental Offices—Salaries and Expenses", "Office of Inspector General", "Special Inspector General for the Troubled Asset Relief Program", "Financial Crimes Enforcement Network", "Bureau of the Fiscal Service", and "Alcohol and Tobacco Tax and Trade Bureau" may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

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SEC. 116. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 117. The Secretary of the Treasury may transfer funds from the "Bureau of the Fiscal Service-Salaries and Expenses" to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 118. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 119. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the

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United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 120. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2019 until the enactment of the Intelligence Authorization Act for Fiscal Year 2019.

SEC. 121. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 122. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Depart-

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ment-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: *Provided further*, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 123. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 124. During fiscal year 2019—

(1) none of the funds made available in this or any other Act may be used by the Department of the Treasury, including the Internal Revenue Service, to issue, revise, or finalize any regulation, revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is oper-

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ated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)); and

(2) the standard and definitions as in effect on January 1, 2010, which are used to make such determinations shall apply after the date of the enactment of this Act for purposes of determining status under section 501(c)(4) of such Code of organizations created on, before, or after such date.

SEC. 125. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

(b) The reports required under subsection (a) shall include—

(1) the obligations made during the previous quarter by object class, office, and activity;

(2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;

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(3) the number of full-time equivalents within each office during the previous quarter;

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any such Committees specified in subsection (a), the Office of Financial Stability and the Office of Financial Research shall make officials available to testify on the contents of the reports required under subsection (a).

SEC. 126. Amounts made available under the heading "Office of Terrorism and Financial Intelligence" shall be available to reimburse the "Departmental Offices—Salaries and Expenses" account for expenses incurred in such account for reception and representation expenses to support activities of the Financial Action Task Force.

SEC. 127. Beginning in fiscal year 2019 and for each fiscal year thereafter, amounts in the Bureau of Engraving and Printing Fund may be used for the acquisition of necessary land for, and construction of, a replacement currency production facility.

This title may be cited as the "Department of the Treasury Appropriations Act, 2019".

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TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $55,000,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $13,081,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

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REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is in-

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curred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or

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nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,187,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $12,000,000.

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OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $100,000,000, of which not to exceed $12,800,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $102,000,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,

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That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the annual work plan developed by the Corps of Engineers for submission to the Committees on Appropriations: *Provided further*, That of the funds made available for the Office of Management and Budget by this Act, no less than three full-time equivalent senior staff position shall be dedicated solely to the Office of the Intellectual Property Enforcement Coordinator: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water

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resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

In addition, $1,000,000 for the Office of Information and Regulatory Affairs to hire additional personnel dedicated to regulatory review and reforms: *Provided*, That these amounts shall be in addition to any other amounts available for such purpose: *Provided further*, That these funds may not be used to backfill vacancies.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses;

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and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $18,400,000: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $280,000,000, to remain available until September 30, 2020, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided*

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further, That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2017 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: *Provided further*, That each HIDTA designated as of September 30, 2018, shall be funded at not less than the fiscal year 2018 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2019 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

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OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $118,327,000, to remain available until expended, which shall be available as follows: $100,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $2,000,000 for drug court training and technical assistance; $9,500,000 for anti-doping activities; $2,577,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469; and $3,000,000, to remain available until expended, shall be for activities authorized by section 103 of Public Law 114–198: *Provided,* That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by

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3 U.S.C. 108, $1,000,000, to remain available until September 30, 2020.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $28,500,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,288,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and

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lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 pursuant to 3 U.S.C. 106(b)(2), $302,000: *Provided*, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings "The White House", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisers", "National Security Council and Homeland Security Council", "Office of Administration", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same

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purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 202. (a) During fiscal year 2019, any Executive order or Presidential memorandum issued or revoked by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal-year period beginning in fiscal year 2019; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum

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over the 5-fiscal-year period beginning in fiscal year 2019.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2019 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

(d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of $100,000,000.

This title may be cited as the "Executive Office of the President Appropriations Act, 2019".

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TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $84,703,000, of which $1,500,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $15,999,000, to remain available until expended.

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UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $32,016,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $18,882,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms

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for Probation and Pretrial Services Office staff, as authorized by law, $5,144,383,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $8,475,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as au-

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thorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,150,450,000 to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $49,750,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the

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daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $607,110,000, of which not to exceed $20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

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ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $92,413,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $29,819,000; of which $1,800,000 shall remain available through September 30, 2020, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $18,953,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

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ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for "Courts of Appeals, District Courts, and Other Judicial Services" shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the

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Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting "Federal" for "executive" each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the matter following paragraph 12—

(1) in the second sentence (relating to the District of Kansas), by striking "27 years and 6 months" and inserting "28 years and 6 months"; and

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(2) in the sixth sentence (relating to the District of Hawaii), by striking "24 years and 6 months" and inserting "25 years and 6 months".

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking "25 years and 6 months" and inserting "26 years and 6 months".

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

(1) in the first sentence by striking "16 years" and inserting "17 years";

(2) in the second sentence (relating to the central District of California), by striking "15 years and 6 months" and inserting "16 years and 6 months"; and

(3) in the third sentence (relating to the western district of North Carolina), by striking "14 years" and inserting "15 years".

This title may be cited as the "Judiciary Appropriations Act, 2019".

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $40,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account

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shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $12,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

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FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $258,394,000 to be allocated as follows: for the District of Columbia Court of Appeals, $14,594,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $124,400,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $74,400,000, of which not to exceed $2,500 is for official reception and representation expenses; and $45,000,000, to remain available until September 30, 2020, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: *Provided further*, That, in addition to the amounts appropriated herein, fees received by the District of Columbia Courts for administering bar examinations and processing District of Columbia bar admissions may be retained and credited to this appropriation, to remain available until expended, for salaries and expenses associated with such activities, notwithstanding section 450 of the District of Columbia Home Rule Act (D.C. Official

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Code, sec. 1–204.50): *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $9,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

(INCLUDING TRANSFER OF FUNDS)

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the

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District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $46,005,000, to remain available until expended: *Provided*, That not more than $20,000,000 in unobligated funds provided in this account may be transferred to and merged with funds made available under the heading "Federal Payment to the District of Columbia Courts," to be available for the same period and purposes as funds made available under that heading for capital improvements to District of Columbia courthouse facilities: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner

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as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $256,724,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, and of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002: *Provided*, That, of the funds appropriated under this heading, $183,166,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons, of which $5,919,000 shall remain available until September 30, 2021 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided further*,

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That, of the funds appropriated under this heading, $73,558,000 shall be available to the Pretrial Services Agency, of which $7,304,000 shall remain available until September 30, 2021 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That amounts under this heading may be used for programmatic incentives for defendants to successfully complete their terms of supervision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $45,858,000, of which $4,471,000 shall remain available until September 30, 2021 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided*, That notwithstanding any other provision of law, all amounts

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under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,150,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2020, to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $270,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $52,500,000, to remain available until expended, for payments authorized under the Scholarships for Opportunity and Results Act (division C of Public Law 112–10): *Provided*, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships

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available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: *Provided further,* That within funds provided for opportunity scholarships up to $1,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) of the Act and up to $500,000 shall be for the activities specified in section 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $3,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund

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of the District of Columbia ("General Fund") for programs and activities set forth under the heading "PART A—SUMMARY OF EXPENSES" and at the rate set forth under such heading, as included in the Fiscal Year 2019 Budget Request Act of 2018 submitted to Congress by the District of Columbia, as amended as of the date of enactment of this Act: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2019 under this heading shall not exceed the estimates included in the Fiscal Year 2019 Budget Request Act of 2018 submitted to Congress by the District of Columbia, as amended as of the date of enactment of this Act or the sum of the total revenues of the District of Columbia for such fiscal year: *Provided further*, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall

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comply with all reserve requirements contained in the District of Columbia Home Rule Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2019, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $8,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

This title may be cited as the "District of Columbia Appropriations Act, 2019".

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TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2020, of which not to exceed $1,000 is for official reception and representation expenses.

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, $268,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $50,000,000, to remain available until September 30, 2020, shall be for the purchase of information technology and of which not less than $3,000,000 shall be for expenses of the Office of the Inspector General: *Provided*, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under

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this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: *Provided further*, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded in a no-year account in the Treasury, which has been established for the sole purpose of recording adjustments for and liquidating such unpaid obligations.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $127,000,000, of which $800,000 shall remain available until expended to carry out the program, including administrative costs, required by section 1405 of the

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Virginia Graeme Baker Pool and Spa Safety Act (Public Law 110–140; 15 U.S.C. 8004).

ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. During fiscal year 2019, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as "ROV") rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

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(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $9,200,000, of which $1,250,000 shall be transferred to the National Institute of Standards and Technology for election reform

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activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,000,000, to remain available until expended: *Provided*, That $339,000,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $339,000,000 in fiscal year 2019 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2018,

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shall not be available for obligation: *Provided further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $130,284,000 for fiscal year 2019: *Provided further*, That, of the amount appropriated under this heading, not less than $11,064,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISION—FEDERAL COMMUNICATIONS COMMISSION

SEC. 510. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $42,982,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

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FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $71,250,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $26,200,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited

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to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $309,700,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $136,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $17,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the

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Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $156,700,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications

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relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $9,285,082,000, of which—

(1) $958,900,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) $767,900,000 shall be for the Department of Transportation Lease Purchase Option, Washington, District of Columbia;

(B) $191,000,000 shall be for the Calexico West Land Port of Entry, Calexico, California:

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Provided, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount;

(2) $663,219,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $276,837,000 is for Major Repairs and Alterations;

(B) $356,382,000 is for Basic Repairs and Alterations; and

(C) $30,000,000 is for Special Emphasis Programs for Fire and Life Safety:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Pro-*

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vided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further,* That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects;

(3) $5,418,845,000 for rental of space to remain available until expended; and

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(4) $2,244,118,000 for building operations to remain available until expended: *Provided*, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year

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2019, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $60,000,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; and services as authorized by 5 U.S.C. 3109; $49,440,000, of which $26,890,000 is for Real and Personal Property Management and Dis-

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posal; $22,550,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses.

CIVILIAN BOARD OF CONTRACT APPEALS

For expenses authorized by law, not otherwise provided for, for the activities associated with the Civilian Board of Contract Appeals, $9,301,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $65,000,000: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $4,796,000.

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FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Products and Programs, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; $55,000,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed $100,000,000: *Provided further*, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2019 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: *Provided further*, That the transfer

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authorities provided herein shall be in addition to any other transfer authority provided in this Act.

TECHNOLOGY MODERNIZATION FUND

For the Technology Modernization Fund, $25,000,000, to remain available until expended, for technology-related modernization activities.

ASSET PROCEEDS AND SPACE MANAGEMENT FUND

For carrying out the purposes of the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287), $25,000,000, to be deposited into the Asset Proceeds and Space Management Fund, to remain available until expended.

ENVIRONMENTAL REVIEW IMPROVEMENT FUND

For necessary expenses of the Environmental Review Improvement Fund established pursuant to 42 U.S.C. 4370m–8(d), $6,070,000, to remain available until expended.

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ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2019 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2020 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved Courthouse Project Priorities plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

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SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 524. From funds made available under the heading Federal Buildings Fund, Limitations on Availability of Revenue, claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical

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to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 526. With respect to each project funded under the heading "Major Repairs and Alterations" or "Judiciary Capital Security Program", and with respect to E–Government projects funded under the heading "Federal Citizen Services Fund", the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 527. The Administrator of General Services shall submit a report to the Committees on Appropriations of the Senate and House of Representatives not later than 30 days following implementation of the initiative established under (c)(2) of Section 846 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–

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91; 41 U.S.C. 1901 note) containing a market analysis and an implementation strategy related to the requirements under subparagraph (h) of Section 846. The report shall address strategies and processes for proper government safeguards to data management and privacy for incorporation into the implementation of Section 846 to ensure a competitive environment.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $1,000,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representa-

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tion expenses, $44,490,000, to remain available until September 30, 2020, and in addition not to exceed $2,345,000, to remain available until September 30, 2020, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $1,875,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That of the total amount made available under this heading $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain

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available until expended, for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,200,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $373,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector

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General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,823,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $6,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September 30, 2020, for technical assistance to low-income designated credit unions.

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OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $17,019,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred

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under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $132,172,000: *Provided*, That of the total amount made available under this heading, not to exceed $14,000,000 shall remain available until September 30, 2020, for information technology infrastructure modernization and Trust Fund Federal Financial System migration or modernization, and shall be in addition to funds otherwise made available for such purposes: *Provided further*, That of the total amount made available under this heading, $639,018 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $133,483,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided further*, That the provisions of this appro-

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priation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2019, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles,

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$5,000,000, and in addition, not to exceed $25,265,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $26,535,000.

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POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $15,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $5,000,000, to remain available until September 30, 2020.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,674,902,000, to remain available until expended; of which not less than $15,206,000 shall be for

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the Office of Inspector General; of which not to exceed $75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than $75,081,000 shall be for the Division of Economic and Risk Analysis.

In addition to the foregoing appropriation, for costs associated with relocation under a replacement lease for the Commission's New York regional office facilities, not to exceed $37,189,000, to remain available until expended: *Provided*, That for purposes of calculating the fee rate under section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)) for fiscal year 2019, all amounts appropriated under this heading shall be deemed to be the regular appropriation to the Commission for fiscal year 2019: *Provided further*, That fees and charges authorized

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by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,674,902,000 of such offsetting collections shall be available until expended for necessary expenses of this account and not to exceed $37,189,000 of such offsetting collections shall be available until expended for costs under this heading associated with relocation under a replacement lease for the Commission's New York regional office facilities: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2019 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That if any amount of the appropriation for costs associated with relocation under a replacement lease for the Commission's New York regional office facilities is subsequently de-obligated by the Commission, such amount that was derived from the general fund shall be returned to the general fund, and such amounts that were derived from fees or assessments collected for such purpose shall be paid to each national securities exchange and national securities association, respectively, in proportion to any fees or assessments paid by such national securities exchange or national securities as-

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sociation under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year 2019.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $26,000,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to ex-

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ceed $3,500 for official reception and representation expenses, $267,500,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further,* That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2019: *Provided further,* That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2020: *Provided further*, That $3,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development,

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$247,700,000, to remain available until September 30, 2020: *Provided*, That $131,000,000 shall be available to fund grants for performance in fiscal year 2019 or fiscal year 2020 as authorized by section 21 of the Small Business Act: *Provided further*, That $31,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $18,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $21,900,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $9,120,000, to remain available until expended.

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BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $4,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2019 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $30,000,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2019 commitments for loans authorized under subparagraph (C) of section 502(7) of The Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2019 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2019, guarantees of trust certificates authorized by sec-

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tion 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $155,150,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $10,000,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; and of which $9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be trans-

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ferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 531. Of the unobligated balances from prior year appropriations available under the "Business Loans Program Account" heading for the Certified Development Company Program, $50,000,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded under this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 532. Section 12085 of Public Law 110–246 is repealed.

SEC. 533. Not to exceed 3 percent of any appropriation made available in this Act for the Small Business Administration under the headings "Salaries and Expenses" and "Business Loans Program Account" may be transferred to the Administration's information technology system modernization and working capital fund (IT WCF), as authorized by section 1077(b)(1) of title X of division

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A of the National Defense Authorization Act for Fiscal Year 2018, for the purposes specified in section 1077(b)(3) of such Act, upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That amounts transferred to the IT WCF under this section shall remain available for obligation through September 30, 2022.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $55,235,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds

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provided in this Act shall be used to consolidate or close small rural and other small post offices.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $250,000,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $51,515,000, of which $500,000 shall remain available until expended: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

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TITLE VI

GENERAL PROVISIONS—THIS ACT

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the

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salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating chapter 83 of title 41, United States Code.

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Con-

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gress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization, restructuring, relocation, or closing of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appro-

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priate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further,* That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

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(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

(1) in the case of an official background investigation report, if such individual has given express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Of-

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fice of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regu-

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latory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 618. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General

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Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term "Executive agency covered by this Act" means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 619. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to—

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

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(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 620. In addition to amounts made available in prior fiscal years, the Public Company Accounting Oversight Board (Board) shall have authority to obligate funds

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for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board between January 1, 2018 and December 31, 2018, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2019 shall remain available until expended. Beginning in fiscal year 2020 and for each fiscal year thereafter, monetary penalties collected pursuant to 15 U.S.C. 7215 shall be deposited in the Public Company Accounting Oversight Board account as discretionary offsetting receipts.

SEC. 621. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled "Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts" unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

SEC. 622. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation

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fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 623. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

SEC. 624. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 625. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in elec-

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tronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 626. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: *Provided*, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II.

SEC. 627. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access. A

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department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 628. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication activities, or other law enforcement- or victim assistance-related activity.

SEC. 629. None of the funds made available by this Act shall be used by the Securities and Exchange Commission to finalize, issue, or implement any rule, regulation, or order regarding the disclosure of political contributions,

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contributions to tax exempt organizations, or dues paid to trade associations.

SEC. 630. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program and unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

SEC. 631. (a) None of the funds made available under this Act may be used to pay for travel and conference activities that result in a total cost to an Executive branch department, agency, board or commission of more than $500,000 at any single conference unless the agency or entity determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

(b) None of the funds made available under this Act may be used to pay for the travel to or attendance of more

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than 50 employees, who are stationed in the United States, at any single conference occurring outside the United States unless the agency or entity determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

SEC. 632. None of the funds made available by this Act may be used for first-class or business-class travel by the employees of executive branch agencies funded by this Act in contravention of sections 301–10.122 through 301–10.125 of title 41, Code of Federal Regulations.

SEC. 633. In addition to any amounts appropriated or otherwise made available for expenses related to enhancements to www.oversight.gov, $2,000,000, to remain available until expended, shall be provided for an additional amount for such purpose to the Inspectors General Council Fund (Fund) established pursuant to Section 11(c)(3)(B) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended: *Provided*, That these amounts shall be in addition to any amounts or any authority available to the Council of the Inspectors General on Integrity and Efficiency under section 11 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended.

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TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2019 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $19,947 except station wagons for which the maximum shall be $19,997: *Provided*, That these limits may be exceeded by not to exceed $7,250 for police-type vehicles: *Provided further*, That the limits set

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forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government

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of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided*

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further, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials,

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including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13693 (March 19, 2015), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the

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Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency

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head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part

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213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of

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whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

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(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legisla-

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tion pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the United States

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Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*,

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That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, including improving coordination and reducing duplication, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $15,000,000 to improve coordination, reduce duplication, and for other activities related to Federal Government Priority Goals established by 31 U.S.C. 1120, and not to exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: *Provided further*, That the funds transferred to or for reimbursement of "General Services Administration, Government-wide Policy" during

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fiscal year 2019 shall remain available for obligation through September 30, 2020: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on

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Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: *Provided*, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's

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access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and

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compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and

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Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contig-

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uous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b)

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of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 734. During fiscal year 2019, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code; or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's aver-

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age unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 735. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the

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funds to make a payment described in paragraph (1).

(b) In this section, each of the terms "contribution", "expenditure", "independent expenditure", "electioneering communication", "candidate", "election", and "Federal office" has the meaning given such term in the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2019, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal ef-

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fective date of the applicable wage survey adjustment that is to take effect in fiscal year 2019, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2019, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2019 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2019 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code,

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and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2018, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2018, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2018.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary

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or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2019 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: *Provided*, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located

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in the pay locality designated as "Rest of United States" pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2018.

SEC. 738. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2019 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

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(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2019 for which the cost to the United States Government was more than $20,000.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not

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be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 739. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 740. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled "Competitive Area" published by the Office of Personnel Management in the

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Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 741. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 742. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

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SEC. 743. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.": *Provided*, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form

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or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 744. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant

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to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 745. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 746. (a) During fiscal year 2019, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee

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on Banking, Housing, and Urban Affairs of the Senate of such request.

(b) Any notification required by this section shall be made available on the Bureau's public Web site.

SEC. 747. If, for fiscal year 2019, new budget authority provided in appropriations Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2019 shall be made by the Director of the Office of Management and Budget in the amount of the excess but the total of all such adjustments shall not exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

SEC. 748. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2019 under section 5303 of title 5, United States Code, shall be an increase of 1.4 percent, and the overall average percentage of the adjustments taking effect in such fiscal year under sections 5304 and 5304a of such title 5 shall be an increase of 0.5 percent (with comparability payments to be determined and allocated among pay localities by the President). All adjust-

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ments under this subsection shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2019.

(b) Notwithstanding section 737, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2019 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentages in subsection (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303, 5304, and 5304a of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303, 5304, and 5304a of such title 5 and prevailing rate employees described in section 5343(a)(5) of such title 5 shall be considered to be located in the pay locality designated as "Rest of U.S." pursuant to section 5304 of such title 5 for purposes of this subsection.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2019.

SEC. 749. (a) Notwithstanding the official rate adjusted under section 104 of title 3, United States Code, the rate payable to the Vice President during calendar

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year 2019 shall be 1.9 percent above the rate payable to the Vice President on December 31, 2018, as limited under section 738 of division E of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

(b) Notwithstanding the official rate adjusted under section 5318 of title 5, United States Code, or any other provision of law, the payable rate for an employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, shall be increased by 1.9 percent (relative to the preexisting rate actually payable) at the time the official rate is adjusted in January 2019. Such an employee may receive no other pay increase during calendar year 2019, except as provided in subsection (i).

(c) Notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, a chief of mission or ambassador at large is subject to subsection (b) in the same manner as other employees who are paid at an Executive Schedule rate.

(d)(1) This subsection applies to—

(A) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule; or

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(B) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule.

(2) Notwithstanding sections 5382 and 5383 of title 5, United States Code, an employee described in paragraph (1) who is serving at the time official rates of the Executive Schedule are adjusted may receive a single increase in the employee's pay rate of no more than 1.9 percent during calendar year 2019, subject to the normally applicable pay rules and pay limitations in effect on December 31, 2013, after those pay limitations are increased by 1.9 percent (after applicable rounding). Such an employee may receive no other pay increase during calendar year 2019, except as provided in subsection (i).

(e) Notwithstanding any other provision of law, any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above the official rate for level IV of the Executive Schedule who serves under a political appointment, and who is serving at the time official rates of the Executive Schedule are adjusted,

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may receive a single increase in the employee's pay rate of no more than 1.9 percent during calendar year 2019, subject to the normally applicable pay rules and pay limitations in effect on December 31, 2013, after those pay limitations are increased by 1.9 percent (after applicable rounding). Such an employee may receive no other pay increase during calendar year 2019, except as provided in subsection (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

(g) This section does not apply to an individual who makes an election to retain Senior Executive Service basic pay under section 3392(c) of title 5, United States Code, for such time as that election is in effect.

(h) This section does not apply to an individual who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service

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Act of 1980 (Public Law 96–465) for such time as that election is in effect.

(i) Notwithstanding subsections (b) through (e), an employee in a covered position may receive a pay rate increase upon an authorized movement to a different covered position only if that new position has higher-level duties and a pre-established level or range of pay higher than the level or range for the position held immediately before the movement. Any such increase must be based on the rates of pay and applicable pay limitations in effect on December 31, 2013, after those rates and pay limitations are increased by 1.9 percent (after applicable rounding).

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013, after those rates and pay limitations are increased by 1.9 percent (after applicable rounding).

(k) If an employee affected by this section is subject to a biweekly pay period that begins in calendar year 2019 but ends in calendar year 2020, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

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(l) For the purpose of this section, the term "covered position" means a position occupied by an employee whose pay is restricted under this section.

(m) This section takes effect on the first day of the first applicable pay period beginning on or after January 1, 2019.

SEC. 750. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

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TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

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(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2019.

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide

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for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of

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the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day;

(4) at the discretion of the Chief Medical Examiner, an officer or employee of the Office of the Chief Medical Examiner who resides in the District of Columbia and is on call 24 hours a day;

(5) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District of Columbia and is on call 24 hours a day;

(6) the Mayor of the District of Columbia; and

(7) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting

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on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any law, rule, or regulation to

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legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

SEC. 810. No funds available for obligation or expenditure by the District of Columbia government under any authority shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2019 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

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(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital

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funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

(c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

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SEC. 816. (a)(1) During fiscal year 2020, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Act referred to in paragraph (2) (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(2) The Act referred to in this paragraph is the Act of the Council of the District of Columbia pursuant to which a proposed budget is approved for fiscal year 2020 which (subject to the requirements of the District of Columbia Home Rule Act) will constitute the local portion of the annual budget for the District of Columbia government for fiscal year 2020 for purposes of section 446 of the District of Columbia Home Rule Act (sec. 1–204.46, D.C. Official Code).

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2020 is in effect; or

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(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2020.

(c) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2020 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2020 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

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SEC. 817. Section 3(c)(2)(G) of the District of Columbia College Access Act of 1999 (Public Law 106–98; sec. 38–2702(c)(2)(G), D.C. Official Code) is amended—

(1) in clause (i), by striking "and" after "$1,000,000" and inserting a semicolon;

(2) in clause (ii)—

(A) by inserting "but before school year 2019–2020" after "in or after school year 2016–2017"; and

(B) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(iii) For individuals who begin an undergraduate course of study in or after school year 2019–2020, is from a family with a taxable annual income of less than $500,000. Beginning with school year 2020–2021, the Mayor shall adjust the amount in the previous sentence for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.".

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SEC. 818. Except as expressly provided otherwise, any reference to "this Act" contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the "Financial Services and General Government Appropriations Act, 2019".

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DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,198,000,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associ-

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ated with the processing of oil and gas applications for permits to drill and related use of authorizations.

In addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2019, so as to result in a final appropriation estimated at not more than $1,198,000,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $28,316,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances from amounts made available for Land Acquisition and derived from the Land and Water Conservation Fund, $1,800,000 is hereby permanently rescinded from previously appropriated emer-

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gencies, hardships, and inholdings funding: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $106,985,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

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RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing

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Act (30 U.S.C. 185), to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, ap-

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praisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator

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is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,292,078,000, to remain available until September 30, 2020: *Provided*, That not to exceed $18,318,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)).

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CONSTRUCTION

(INCLUDING RESCISSION OF FUNDS)

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $55,613,000, to remain available until expended.

Of the unobligated balances available for Construction, $1,500,000 is permanently rescinded, including $300,000 of unobligated balances available for Construction under Public Law 111–8: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

LAND ACQUISITION

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $65,189,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding section 200306 of title 54,

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United States Code, not more than $20,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $320,000 for administrative expenses: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $53,495,000, to remain available until expended, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $30,800,000 is to be derived from the Land and Water Conservation Fund.

Of the unobligated balances made available from the Cooperative Endangered Species Conservation Fund, $7,500,000 is permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

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NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $42,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $3,910,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $11,561,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands,

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American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $64,571,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1)

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one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2019 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2020, shall be reapportioned, together with funds appropriated in 2021, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct ex-

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penditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and ap-

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proval shall be deposited under the heading "United States Fish and Wildlife Service—Resource Management" and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

Of the unobligated balances available for grants under Public Law 109–58, title III, subtitle G, section 384, $15,000,000 is permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,502,711,000, of which $10,032,000 for planning and interagency coordination in support of Everglades restoration and $135,980,000 for maintenance, repair, or rehabilitation projects for constructed assets and

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$151,575,000 for cyclic maintenance projects for constructed assets and cultural resources shall remain available until September 30, 2020: *Provided*, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348: *Provided further*, That notwithstanding section 9(a) of the United States Semiquincentennial Commission Act of 2016 (Public Law 114–196; 130 Stat. 691), $500,000 of the funds made available under this heading shall be provided to the organization selected under section 9(b) of that Act for expenditure by the United States Semiquincentennial Commission in accordance with that Act.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $64,138,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), $102,660,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2020, of which $13,000,000 shall be for Save America's Treasures grants for preservation

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of national significant sites, structures and artifacts as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (54 U.S.C. 3089): *Provided*, That an individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant: *Provided further*, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: *Provided further*, That of the funds provided for the Historic Preservation Fund, $750,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary, $14,500,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, $8,000,000 is for grants to Historically Black Colleges and Universities, and $5,000,000 is for competitive grants for the restoration of historic properties of national, State and local significance listed on or eligible for inclusion on the National Register of Historic Places, to be made without imposing the usage or direct grant restrictions of section 101(e)(3) (54 U.S.C. 302904) of the National Historical Preservation Act: *Provided further*, That such competitive grants

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shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code, to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and non-profit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, $364,704,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2019 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: *Provided further*, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: *Provided further*, That the Secretary of the Interior shall consult with the

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Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $168,444,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $124,006,000 is for the State assistance program and of which $10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, $20,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

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ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

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National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,160,596,000, to remain available until September 30, 2020; of which $84,337,000 shall remain available until expended for satellite operations; and of which $15,164,000 shall be available until expended for

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deferred maintenance and capital improvement projects that exceed $100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That

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activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting and administering leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants

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or cooperative agreements, $179,266,000, of which $129,450,000 is to remain available until September 30, 2020, and of which $49,816,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not more than $129,450,000: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy,

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and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $145,475,000, of which $121,351,000 is to remain available until September 30, 2020, and of which $24,124,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not more than $121,351,000.

For an additional amount, $41,765,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees

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collected in fiscal year 2019, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed $41,765,000, the amounts realized in excess of $41,765,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2019, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of

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1977, Public Law 95–87, $115,804,000, to remain available until September 30, 2020: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: *Provided further*, That of the amounts made available under this heading and notwithstanding the Federal share limits contained in section 705 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1295), not to exceed $2,300,000 shall be for the Secretary of the Interior to make grants to any State with active coal mine operations within its borders that does not have an approved State regulatory program under section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) for the purpose of developing a State program under such Act.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated from

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the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2019 appropriation estimated at not more than $115,804,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $24,672,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of

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State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, $115,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the joint explanatory statement accompanying this Act: *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such additional amount, $75,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, $30,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and $10,000,000 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the joint explanatory statement accom-

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panying this Act and shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: *Provided further*, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,414,577,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $76,000,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein,

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to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $683,572,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2019, and shall remain available until September 30, 2020: *Provided further*, That not to exceed $55,174,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $82,935,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2019: *Provided further*, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2020, may be transferred during fiscal year 2021 to an Indian forest land assistance account

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established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2021: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: *Provided further*, That the Bureau of Indian Affairs may accept transfers of funds from U.S. Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1).

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs for fiscal year 2019, such sums as may be necessary, which shall be available for obligation through September 30, 2020: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

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CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483; $358,719,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2019, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and

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Audit Requirements and Cost Principles for Assistance Programs contained in part 12 of title 43, Code of Federal Regulations, as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of title 43, Code of Federal Regulations; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by section 1125(b) of title XI of Public Law 95–561 (25 U.S.C. 2005(b)), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in section 5206(f) of Public Law 100–297 (25 U.S.C. 2504(f)): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in section 5208(e) of Public Law 107–110 (25 U.S.C. 2507(e)): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the

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date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation: *Provided further*, That of the funds made available under this heading, $10,000,000 shall be derived from the Indian Irrigation Fund established by section 3211 of the WIIN Act (Public Law 114–322; 130 Stat. 1749): *Provided further*, That for funds appropriated under this heading, the date specified in section 3216 of Public Law 114–322 shall be applied as substituting "September 30, 2028" for "September 30, 2021".

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, 111–291, and 114–322, and for implementation of other land and water rights settlements, $50,057,000, to remain available until expended: *Provided*, That the Secretary shall make payments in such

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amounts as necessary to satisfy the total authorized amount for the Navajo Nation Water Rights Trust Fund.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $10,779,000, of which $1,455,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $174,616,164.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding Public Law 87–279 (25 U.S.C. 15), the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative

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Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school

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in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education, or more than one grade to expand the elementary grade structure for Bureau-funded schools with a K-2 grade structure on October 1, 1996. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept sepa-

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rate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those

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currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: *Provided*, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: *Provided further*, That the term "satellite school" means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, $124,673,000, to remain available until September 30, 2020; of which not to

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exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $9,000,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $9,704,000 for Indian land, mineral, and resource valuation activities shall remain available until expended: *Provided*, That funds for Indian land, mineral, and resource valuation activities may, as needed, be transferred to and merged with the Bureau of Indian Affairs and Bureau of Indian Education "Operation of Indian Programs" account and the Office of the Special Trustee for American Indians "Federal Trust Programs" account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That of the amounts made available under this heading, $400,000 shall be made available to the commission established by section 3(a) of the Alyce Spotted Bear and Walter

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Soboleff Commission on Native Children Act (Public Law 114–244; 130 Stat. 981).

ADMINISTRATIVE PROVISIONS

For fiscal year 2019, up to $400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided*, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: *Provided further*, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: *Provided further*, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: *Provided further*, That no payment shall be made pursuant to that chapter to otherwise eligible units of local government if the computed amount of the payment is less than $100.

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INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $100,688,000, of which: (1) $91,240,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands , as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,448,000 shall be available until September 30, 2020, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments,

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may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non–Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,413,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of

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the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated

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Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $65,674,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $52,486,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $111,540,000, to remain available until expended, of which not to exceed $19,016,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, "Operation of In-

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dian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Departmental Operations'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of

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less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: *Provided further*, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: *Provided further*, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $941,211,000, to remain available until expended, of which not to exceed $18,427,000 shall be for the renovation or construction of fire facilities: *Provided*, That such

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funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided $189,000,000 is for fuels management activities: *Provided further*, That of the funds provided $20,470,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal en-

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tity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with

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local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

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CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $55,735,000, to

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remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants

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and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $137,505,000, to remain available until September 30, 2020; of which $41,727,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That notwithstanding any other provision of law, $15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed

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to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior;

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for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, with such reimbursement to be credited to appropriations currently available

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at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire suppression" shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only

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or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2019. Under circumstances of dual enrollment, overlapping service areas or inaccurate dis-

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tribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2019, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the "Offshore Safety and Environmental Enforcement" account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

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(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2019 shall be:

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2019. Fees for fiscal year 2019 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

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BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the joint explanatory statement accompanying this Act.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

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MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 111. Notwithstanding any other provision of law, during fiscal year 2019, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HUMANE TRANSFER OF EXCESS ANIMALS

SEC. 112. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: *Provided*, That the Secretary

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may make any such transfer immediately upon request of such Federal, State, or local government agency: *Provided further*, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse or burro as defined in the Wild Free-Roaming Horses and Burros Act: *Provided further*, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

SEC. 113. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs au-

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thorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—

(1) result in the displacement of individuals currently employed by the Department, including partial displacement through reduction of non-overtime hours, wages, or employment benefits;

(2) result in the use of an individual under the Department of the Interior Experienced Services Program for a job or function in a case in which a Federal employee is in a layoff status from the same or substantially equivalent job within the Department; or

(3) affect existing contracts for services.

CONTRIBUTION AUTHORITY

SEC. 114. Section 113 of Division G of Public Law 113–76 is amended by striking "2019," and inserting "2024,".

INDIANA DUNES NATIONAL LAKESHORE RETITLED; PAUL H. DOUGLAS TRAIL REDESIGNATION

SEC. 115. (a) INDIANA DUNES NATIONAL LAKE SHORE RETITLED.—

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(1) IN GENERAL.—Public Law 89–761 (16 U.S.C. 460u et seq.) is amended—

(A) by striking "National Lakeshore" and "national lakeshore" each place it appears and inserting "National Park"; and

(B) by striking "lakeshore" each place it appears and inserting "Park".

(2) NONAPPLICATION.—The amendment made by subsection (a)(1) shall not apply to—

(A) the title of the map referred to in the first section of Public Law 89–761 (16 U.S.C. 460u); and

(B) the title of the maps referred to in section 4 of Public Law 89–761 (16 U.S.C. 460u–3).

(b) PAUL H. DOUGLAS TRAIL REDESIGNATION.—The 1.6 mile trail within the Indiana Dunes National Park designated the "Miller-Woods Trail" is hereby redesignated as the "Paul H. Douglas Trail".

PAYMENTS IN LIEU OF TAXES (PILT)

SEC. 116. Section 6906 of title 31, United States Code, is amended by striking "fiscal year 2018" and inserting "fiscal year 2019".

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TECHNICAL CORRECTION

SEC. 117. Division II of Public Law 104–333 (54 U.S.C. 320101 note), as amended by section 116(b)(2) of Public Law 114–113, is amended in each of sections 208, 310, and 607, by striking "2017" and inserting "2019".

DESIGNATION OF PETER B. WEBSTER III MEMORIAL AREA

SEC. 118. (a)(1) The rest area bound by Alexandria Avenue, West Boulevard Drive, and the George Washington Memorial Parkway on the Mount Vernon Trail within the George Washington Memorial Parkway is designated as the "Peter B. Webster III Memorial Area".

(2) Any reference in a law, map, regulation, document, paper, or other record of the United States to the rest area described in paragraph (1) shall be deemed to be a reference to the "Peter B. Webster III Memorial Area".

(b)(1) A plaque honoring Peter B. Webster III may be installed at the Peter B. Webster III Memorial Area on a signpost, bench, or other appropriate structure, on the condition that the Director of the National Park Service shall approve the design and placement of the plaque.

(2) No Federal funds may be used to design, procure, prepare, or install the plaque authorized under paragraph (1).

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(3) The Secretary of the Interior may accept and expend private contributions for the design, procurement, preparation, and installation of the plaque authorized under paragraph (1).

OBLIGATION OF FUNDS

SEC. 119. Amounts appropriated by this Act to the Department of the Interior shall be available for obligation and expenditure not later than 60 days after the date of enactment of this Act.

SAGE-GROUSE

SEC. 120. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

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TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $717,723,000, to remain available until September 30, 2020: *Provided*, That of the funds included under this heading, $5,000,000 shall be for Research: National Priorities as specified in the joint explanatory statement accompanying this Act: *Provided further*, That of the unobligated balances from appropriations made available under this heading, $11,250,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Research: National Priorities.

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ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed $9,000 for official reception and representation expenses, $2,658,200,000, to remain available until September 30, 2020: *Provided*, That of the funds included under this heading, $15,000,000 shall be for Environmental Protection: National Priorities as specified in the joint explanatory statement accompanying this Act: *Provided further*, That of the funds included under this heading, $456,958,000 shall be for Geographic Programs specified in the joint explanatory statement accompanying this Act: *Provided further*, That of the unobligated balances from appropriations made available under

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this heading, $60,201,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Environmental Protection: National Priorities, from amounts made available in the second proviso for Geographic Programs, or from the National Estuary Program (33 U.S.C. 1330).

In addition, $5,000,000 to remain available until expended, for necessary expenses of activities described in section 26(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursuant to that section of that Act and deposited in the "TSCA Service Fee Fund" as discretionary offsetting receipts in fiscal year 2019 shall be retained and used for necessary salaries and expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated in this paragraph from the general fund for fiscal year 2019 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent that amounts realized from such receipts exceed $5,000,000, those amount in excess of $5,000,000 shall be deposited in the "TSCA Service Fee Fund" as discretionary offsetting re-

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ceipts in fiscal year 2019, shall be retained and used for necessary salaries and expenses in this account, and shall remain available until expended: *Provided further*, That of the funds included in the first paragraph under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees appropriated, not less than the amount of appropriations for that program project for fiscal year 2014.

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

For necessary expenses to carry out section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g), including the development, operation, maintenance, and upgrading of the hazardous waste electronic manifest system established by such section, $8,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections under such section 3024 are received during fiscal year 2019, which shall remain available until expended and be used for necessary expenses in this appropriation, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent such offsetting collections received in fiscal year 2019 exceed $8,000,000,

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those excess amounts shall remain available until expended and be used for necessary expenses in this appropriation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,489,000, to remain available until September 30, 2020.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $34,467,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,091,947,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,091,947,000 as a payment from general revenues to the Hazardous Substance Super-

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fund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $8,778,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2020, and $15,496,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2020.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized In-

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dian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,605,041,000, to remain available until expended, of which—

(1) $1,394,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $864,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2019, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 10 percent of the funds made available under this title to each

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State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That for fiscal year 2019, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2019 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2019, notwithstanding the provisions of subsections (g)(1),

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(h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: *Provided further*, That for fiscal year 2019, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial estab-

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lishments: *Provided further*, That for fiscal year 2019, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of $2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: *Provided further*, That for fiscal year 2019, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined in Public Law 92–203: *Provided further*, That for fiscal year 2019, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or $30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolv-

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ing Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2019, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2019, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each

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State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund cap-

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italization grants to provide additional subsidy to eligible recipients;

(2) $15,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission: *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $25,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That of these funds: (A) the State

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of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $87,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: *Provided*, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA: *Provided further*, That at least 10 percent shall be allocated

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for assistance in persistent poverty counties: *Provided further*, That for purposes of this section, the term "persistent poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

(5) $87,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $52,000,000 shall be for targeted airshed grants in accordance with the terms and conditions in the joint explanatory statement accompanying this Act;

(7) $4,000,000 shall be to carry out the water quality program authorized in section 5004(d) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322); and

(8) $1,077,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth

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under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading "Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs; $11,000,000 shall be for multipurpose grants, including interagency agreements.

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WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $610,000,000.

In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until September 30, 2020.

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ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For fiscal year 2019, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-

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mental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2019.

The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading "Environmental Programs and Management" to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities, provided that the cost does not exceed $150,000 per project.

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For fiscal year 2019, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

The Administrator is authorized to use the amounts appropriated under the heading "Environmental Programs and Management" for fiscal year 2019 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Of the unobligated balances available for the "State and Tribal Assistance Grants" account, $139,078,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 or from amounts that were made available by subsection (a) of section 196 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254).

Notwithstanding the limitations on amounts in section 320(i)(2)(B) of the Federal Water Pollution Control

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Act, not less than $1,000,000 of the funds made available under this title for the National Estuary Program shall be for making competitive awards described in section 320(g)(4).

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $875,000: *Provided*, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $300,000,000, to remain available through September 30, 2022: *Provided*, That of the funds provided, $77,000,000 is for the forest inventory and analysis program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute

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the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, $336,990,000, to remain available through September 30, 2022, as authorized by law; of which $63,990,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

Of the unobligated balances from amounts made available for the Forest Legacy Program and derived from the Land and Water Conservation Fund, $1,503,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects that had funds returned: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

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NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, $1,938,000,000, to remain available through September 30, 2022: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $368,000,000 shall be for forest products: *Provided further*, That of the funds provided, $435,000,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the "State and Private Forestry" appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That $20,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines

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such activities benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the "State and Private Forestry" appropriations: *Provided further*, That notwithstanding section 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred. And, that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $446,000,000, to remain available through September 30, 2022, for construction, capital improvement, maintenance and acquisition of buildings and

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other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That funds becoming available in fiscal year 2019 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $72,564,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National

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Forests, California; and the Ozark-St. Francis and Ouachita National Forests, Arkansas; as authorized by law, $700,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2022, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2022, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

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GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available through September 30, 2022, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), $2,500,000, to remain available through September 30, 2022.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $3,004,986,000, to remain available through September 30, 2022: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes:

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Provided further, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the "National Forest System" account: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That funds provided shall be available for support to Federal emergency response: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That funds designated for wildfire suppression, shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft

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to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading "Wildland Fire Management" will be obligated within 30 days: *Provided*, That all funds used pursuant to this para-

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graph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Not more than $50,000,000 of funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior for wildland fire management, hazardous fuels management, and State fire assistance when such transfers would facilitate and expedite wildland fire management programs and projects.

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2022: *Provided*, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That this section does not apply to funds derived from the Land and Water Conservation Fund.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for Inter-

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national Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of

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section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–171 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the joint explanatory statement accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried

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out under the authority of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.).

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest

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Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

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The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.

Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of this Act, through the Office of Budget and Program Analysis, the Forest Service shall report no later than 30 business days following the close of each fiscal quarter all current and prior year unobligated balances, by fiscal year, budget line

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item and account, to the House and Senate Committees on Appropriations.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,103,190,000, to remain available until September 30, 2020, except as otherwise provided herein, together with payments received during the fiscal year pursuant to sections 231(b) and 233 of the Public Health Service Act (42 U.S.C. 238(b), 238b), for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That $2,000,000 shall be available for

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grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, including alcohol detoxification services: *Provided further*, That $964,819,000 for Purchased/Referred Care, including $53,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That of the funds provided, up to $44,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That of the funds provided, $36,000,000 shall remain available until expended to supplement funds available for operational costs at tribal clinics operated under an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement and equipment funds from the Indian Health Service, and $58,000,000 shall be for costs related to or resulting from accreditation emergencies, of which up to $4,000,000 may be used to supplement amounts otherwise available for Purchased/Referred Care: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding

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fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of that Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided further*, That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for Opioid Prevention, Treatment and Recovery Services, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for aftercare pilot programs at Youth Regional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants for which the performance period falls within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the

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authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, and from tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.): *Provided further*, That of the funds provided, $72,280,000 is for the Indian Health Care Improvement Fund and may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: *Provided further*, That the accreditation emer-

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gency funds may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2019, such sums as may be necessary: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities

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support activities of the Indian Health Service, $878,806,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the "Indian Health Services" account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used

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by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation:

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Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available

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to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs

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associated with the provision of goods, services, or technical assistance: *Provided further*, That the Indian Health Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $79,000,000.

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AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2019, and existing profiles may be updated as necessary.

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OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $2,994,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C.

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5376, $12,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $8,750,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none

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of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716): *Provided further*, That $1,000,000 shall be transferred to the Office of the Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99–498 (20

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U.S.C. 4411 et seq.), $9,960,000, which shall become available on July 1, 2019, and shall remain available until September 30, 2020.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $739,994,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $6,917,000 for the instrumentation program, collections acquisition, exhibition reinstallation, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein

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are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $303,503,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the

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general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $144,202,000, to remain available until September 30, 2020, of which not to exceed $3,640,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $24,203,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of

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buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $24,490,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $16,800,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $12,000,000, to remain available until September 30, 2020.

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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $155,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $155,000,000 to remain available until expended, of which $141,750,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $13,250,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $11,250,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section

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10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms

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of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, $2,771,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study, or education: *Provided further*, That one-tenth of one percent of the funds provided under this heading may be used for official reception and representation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,750,000.

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ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,890,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $8,099,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $59,000,000, of which $1,715,000 shall remain available until September 30, 2021, for the Museum's equipment replacement program; and of which $4,000,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

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DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Dwight D. Eisenhower Memorial Commission, $1,800,000, to remain available until expended.

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Women's Suffrage Centennial Commission, as authorized by the Women's Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $1,000,000, to remain available until expended.

WORLD WAR I CENTENNIAL COMMISSION

SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112–272) and the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), for necessary expenses of the World War I Centennial Commission, $7,000,000, to remain available until expended: *Provided*, That in addition to the authority provided by section 6(g) of such Act, the World War I Commission may accept money, in-kind personnel services,

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contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

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TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate.

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Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2020, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to

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section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 2019.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2019 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2019 under the headings "Department of Health and

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Human Services, Indian Health Service, Contract Support Costs" and "Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs" are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2019 with the Bureau of Indian Affairs or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest

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System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of

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Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code,

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or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes;

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

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(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

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NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and

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Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

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STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

PROHIBITION ON USE OF FUNDS

SEC. 416. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

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FUNDING PROHIBITION

SEC. 418. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

CONTRACTING AUTHORITIES

SEC. 419. Section 412 of Division E of Public Law 112–74 is amended by striking "fiscal year 2019" and inserting "fiscal year 2020".

EXTENSION OF GRAZING PERMITS

SEC. 420. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2019.

FUNDING PROHIBITION

SEC. 421. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law

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enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT

SEC. 422. Section 503(f) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note; Public Law 109–54) is amended by striking "2018" and inserting "2019".

USE OF AMERICAN IRON AND STEEL

SEC. 423. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term "iron and steel" products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environ-

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mental Protection Agency (in this section referred to as the "Administrator") finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and

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Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

MIDWAY ISLAND

SEC. 424. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 425. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

"(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), $24,490,000 for fiscal year 2019.

"(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $16,800,000 for fiscal year 2019.".

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LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANSFERS OF EXCESS EQUIPMENT AND SUPPLIES FOR WILDFIRES

SEC. 426. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with volunteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to provide for wildland fire training and equipment, including supplies and communication devices. Notwithstanding 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary is further authorized to transfer title to excess Department of the Interior firefighting equipment no longer needed to carry out the functions of the Department's wildland fire management program to such organizations.

RECREATION FEES

SEC. 427. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting "October 1, 2020" for "September 30, 2019".

POLICIES RELATING TO BIOMASS ENERGY

SEC. 428. To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environ-

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mental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use;

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

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(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

INFRASTRUCTURE

SEC. 429. (a) For an additional amount for "Environmental Protection Agency—Hazardous Substance Superfund", $68,000,000, of which $60,000,000 shall be for the Superfund Remedial program and $8,000,000 shall be for the Superfund Emergency Response and Removal program, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $68,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA.

(b) For an additional amount for "Environmental Protection Agency—State and Tribal Assistance Grants," for environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $665,000,000 to remain available until expended, of which—

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(1) $300,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $300,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act;

(2) $25,000,000 shall be for grants for small and disadvantaged communities authorized in section 2104 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(3) $25,000,000 shall be for grants for lead testing in school and child care program drinking water authorized in section 2107 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(4) $15,000,000 shall be for grants for reducing lead in drinking water authorized in section 2105 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322).

(c) For an additional amount for "Environmental Protection Agency—Water Infrastructure Finance and Innovation Program Account", $58,000,000, to remain available until expended, for the cost of direct loans, for the cost of guaranteed loans, and for administrative ex-

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penses to carry out the direct and guaranteed loan programs, of which $3,000,000, to remain available until September 30, 2020, may be used for such administrative expenses: *Provided*, That these additional funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $6,700,000,000.

SMALL REMOTE INCINERATORS

SEC. 430. None of the funds made available in this Act may be used to implement or enforce the regulation issued on March 21, 2011 at 40 CFR part 60 subparts CCCC and DDDD with respect to units in the State of Alaska that are defined as "small, remote incinerator" units in those regulations and, until a subsequent regulation is issued, the Administrator shall implement the law and regulations in effect prior to such date.

CLARIFICATION OF EXEMPTIONS

SEC. 431. None of the funds made available in this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

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This division may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2019".

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XEROX

DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $5,947,952,000, of which up to $671,726,000 may remain available until September 30, 2020, and of which up to $1,469,777,000 may remain available until expended for Worldwide Security Protection: *Provided*, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Infor-

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mation and Educational Exchange Act of 1948, $2,871,794,000, of which up to $528,000,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,338,227,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, $773,847,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $964,084,000, of which up to $941,777,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Ex-

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change Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(B) not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER OF FUNDS, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any other provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading "Emergencies in the Diplomatic and Consular Service", to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or pur-

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chase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Funds appropriated under this heading that are designated for Worldwide Security Protection shall continue to be made available for support of security-related training at sites in existence prior to the enactment of this Act.

(7) CLARIFICATION.—References to the "Diplomatic and Consular Programs" account in any provision of law shall be construed to include the "Diplomatic Programs" account in this Act and other Acts making appropriations for the Department of State, foreign operations, and related programs.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, as authorized, $92,770,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $90,829,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C.

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3929(a)(1)), as it relates to post inspections: *Provided*, That of the funds appropriated under this heading, $13,624,000 may remain available until September 30, 2020.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $700,946,000, to remain available until expended, of which not less than $271,500,000 shall be for the Fulbright Program and not less than $111,860,000 shall be for Citizen Exchange Program: *Provided,* That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: *Provided further*, That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: *Provided further*, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

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REPRESENTATION EXPENSES

For representation expenses as authorized, $8,030,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $30,890,000, to remain available until September 30, 2020.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), preserving, maintaining, repairing, and planning for real property that are owned or leased by the Department of State, and renovating, in addition to funds otherwise available, the Harry S Truman Building, $777,200,000, to remain available until September 30, 2023, of which not to exceed $25,000 may be used for overseas representation expenses as authorized: *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies of the United States Government.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $1,198,249,000, to remain available until expended: *Provided*, That not later than 45 days after enactment of this

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Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales or gifts for all projects in fiscal year 2019.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized, $7,885,000, to remain available until expended, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading "Repatriation Loans Program Account": *Provided*, That $800,000 of the funds appropriated under this heading may not be obligated until the Secretary of State testifies before the Committees on Appropriations concerning the fiscal year 2020 budget request for the Department of State: *Provided further*, That the limitation of the previous proviso shall not apply if such funds are necessary for emergency evacuations and the payment of rewards for information related to international terrorism, narcotics related activities, transnational organized crime, and war crimes as authorized by section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708).

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REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,300,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $5,686,032.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $31,963,000.

INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF COLUMBIA

Not to exceed $1,806,600 shall be derived from fees collected from other executive agencies for lease or use of facilities at the International Center in accordance with section 4 of the International Center Act (Public Law 90–553), and, in addition, as authorized by section 5 of such Act, $743,000, to be derived from the reserve authorized by such section, to be used for the purposes set out in that section.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized, $158,900,000.

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INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions, or specific Acts of Congress, $1,264,030,000: *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further*, That not later than May 1, 2019, and 30 days after the end of fiscal year 2019, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including from the United Nations Tax Equalization Fund, and provide updated fiscal year 2019 and fiscal year 2020 assessment

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costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations regular budget, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7070 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading shall

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be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $562,344,000, of which 15 percent shall remain available until September 30, 2020: *Provided*, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings or transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: *Provided further*, That none of the funds appropriated under

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this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to hold accountable individuals who engage in such acts while participating in such mission, including prosecution in their home countries and making information about such prosecutions publicly available on the website of the United Nations: *Provided further*, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: *Provided further*, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That none of the funds appropriated or oth-

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erwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: *Provided further*, That not later than May 1, 2019, and 30 days after the end of fiscal year 2019, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including those resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund, and provide updated fiscal year 2019 and fiscal year 2020 assessment costs including offsets from available credits: *Provided further*, That any such credits shall only be available for United States assessed contributions to United Nations peacekeeping missions, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related

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programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7070 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs, including offsets from available credits: *Provided further*, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a draw down when mission goals have been substantially achieved.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws appli-

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cable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $48,134,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $29,400,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by the North American Free Trade Agreement Implementation Act (Public Law 103–182), $13,258,000: *Provided,* That of the amount provided under this heading for the International Joint Commission, up to $500,000 may remain available until September 30, 2020, and $9,000 may be made available for representation expenses: *Provided further*, That of the amount provided under this heading for the International Boundary Commission, $1,000 may be made available for representation expenses.

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INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $50,651,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, $798,196,000: *Provided*, That in addition to amounts otherwise available for such purposes, up to $34,508,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $13,800,000 shall be for Internet freedom programs: *Provided further*, That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for such expenses within the United States as authorized, and not to exceed $30,000

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may be used for representation expenses of Radio Free Europe/Radio Liberty: *Provided further*, That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the BBG that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: *Provided further*, That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bu-

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reau, shall remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, $9,700,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $17,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading shall be apportioned and obligated to the Foundation not later than 60 days after enactment of this Act.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act (22 U.S.C. 4601 et seq.), $38,634,000, to re-

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main available until September 30, 2020, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2019, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2019, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title

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2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2019, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $16,700,000: *Provided*, That funds appropriated under this heading shall be apportioned and obligated to the Center not later than 60 days after enactment of this Act.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act (22 U.S.C. 4412), $180,000,000, to remain available until expended, of which $117,500,000 shall be allocated in the traditional

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and customary manner, including for the core institutes, and $62,500,000 shall be for democracy programs: *Provided*, That the requirements of section 7070(a) of this Act shall not apply to funds made available under this heading: *Provided further*, That funds appropriated under this heading shall be apportioned and obligated to the Endowment not later than 60 days after enactment of this Act.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $675,000, as authorized by chapter 3123 of title 54, United States Code: *Provided*, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: *Provided further*, That such authority shall terminate on October 1, 2019: *Provided further*, That the Commission shall notify the Committees on Appropriations prior to exercising such authority.

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom (USCIRF), as authorized by title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), $4,500,000, to remain available until September 30, 2020, including not more than $4,000 for representation expenses: *Provided*, That prior to the obligation of $1,000,000 of the funds appropriated under this heading, the Commission shall consult with the appropriate congressional committees on the steps taken to implement the recommendations of the Independent Review of USCIRF Mission Effectiveness that was conducted pursuant to the United States Commission on International Religious Freedom Reauthorization Act of 2015 (Public Law 114–71), and such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304 (22 U.S.C. 3001 et seq.), $2,579,000, includ-

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ing not more than $4,000 for representation expenses, to remain available until September 30, 2020.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), $2,000,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2020.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $3,500,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2020: *Provided*, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117)

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shall continue in effect during fiscal year 2019 and shall apply to funds appropriated under this heading as if included in this Act.

WESTERN HEMISPHERE DRUG POLICY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Western Hemisphere Drug Policy Commission, as authorized by title VI of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323), $1,500,000 to remain available until September 30, 2020.

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TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $1,214,808,000, of which up to $182,221,000 may remain available until September 30, 2020: *Provided*, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chap-

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ter 1 of part I of such Act to "Operating Expenses" in accordance with the provisions of those sections: *Provided further*, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, and not to exceed $100,500 shall be for official residence expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $225,000,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That funds appropriated under this heading shall be available subject to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $76,600,000, of which up to $11,490,000 may remain available until September 30, 2020, for the Office of In-

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spector General of the United States Agency for International Development.

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TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $3,117,450,000, to remain available until September 30, 2020, and which shall be apportioned directly to the United States Agency for International Development: *Provided*, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS,

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tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to, unanticipated and emerging global health threats; and (8) family planning/reproductive health: *Provided further*, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in

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this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right

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or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or con-

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scientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,720,000,000, to remain available until September 30, 2023, which shall be apportioned directly to the Department of State: *Provided*, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to

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Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That the amount of such contribution should be $1,350,000,000: *Provided further*, That clauses (i) and (vi) of section 202(d)(4)(A) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622) shall be applied with respect to such funds made available for fiscal years 2015 through 2019 by substituting "2004" for "2009": *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2019 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds appropriated under this paragraph, up to $17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance

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Act of 1961, $3,000,000,000, to remain available until September 30, 2020.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $3,801,034,000, to remain available until expended: *Provided*, That such funds shall be apportioned to the United States Agency for International Development not later than 60 days after enactment of this Act.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development, pursuant to section 491 of the Foreign Assistance Act of 1961, $30,000,000, to remain available until expended, to support transition to democracy and long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to begin-

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ning a new program of assistance: *Provided further*, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities administered by the United States Agency for International Development to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, $30,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading may be made available on such terms and conditions as are appropriate and necessary for the purposes of preventing or responding to such challenges and crises, except that no funds shall be made available for lethal assistance or to respond to natural disasters: *Pro-*

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vided further, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated under this heading may be used for administrative expenses, in addition to funds otherwise available for such purposes, except that such expenses may not exceed 5 percent of the funds appropriated under this heading: *Provided further*, That funds appropriated under this heading shall be apportioned to USAID not later than 60 days after enactment of this Act: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

DEVELOPMENT CREDIT AUTHORITY

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $55,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Europe, Eurasia and Central Asia": *Provided*, That funds provided under this paragraph and

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funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: *Provided further*, That funds provided as a gift that are used for purposes of this paragraph shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds used for such cost, including if the cost results in a negative subsidy, shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9,

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1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed $300,000,000: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $1,750,000,000.

In addition, for administrative expenses to carry out credit programs administered by USAID, $10,000,000, which may be transferred to, and merged with, funds made available under the heading "Operating Expenses" in title II of this Act: *Provided*, That funds made available under this heading shall remain available until September 30, 2021: *Provided further*, That of the funds appropriated under this paragraph in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for administrative expenses to carry out credit programs administered by USAID, up to $1,000,000 may be made available for limited transition costs associated with the implementation of section 1463 of the Better Utilization of Investments Leading to Development (BUILD) Act of 2018 (division F of Public Law 115–254): *Provided further*, That prior to the initial obligation of funds made available for such transition costs, the USAID Administrator shall submit

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a spend plan to the Committees on Appropriations for the use of such funds: *Provided further*, That funds made available for such transition costs shall be subject to the regular notification procedures of the Committees on Appropriations, and may not be made available until the reorganization plan required by section 1462(a) of the BUILD Act of 2018 is transmitted to Congress.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $2,545,525,000, to remain available until September 30, 2020.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, including to carry out the purposes of section 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C. 4411), $157,700,000, to remain available until September 30, 2020, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State: *Provided*, That funds appropriated under this heading that are made available to the National Endowment for Democracy and its core institutes are in addition to amounts otherwise available by this Act for such purposes:

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Provided further, That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the obligation of funds appropriated under this paragraph.

For an additional amount for such purposes, $69,500,000, to remain available until September 30, 2020, which shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102–511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179), $760,334,000, to remain available until September 30, 2020, which shall be available, notwithstanding any other provision of law, except section 7047 of this Act, for assistance and related programs for countries identified in section 3 of Public Law 102–511 (22 U.S.C. 5801) and section 3(c) of Public Law 101–179 (22 U.S.C. 5402), in addition to funds otherwise available for such purposes: *Provided*, That funds appropriated by this Act under the headings "Global Health Programs", "Economic Support Fund", and "International Narcotics Con-

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trol and Law Enforcement'' that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of Public Law 102–511 and section 601 of Public Law 101–179: *Provided further*, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance: *Provided further*, That any notification of funds made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations and related programs shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: *Provided further*, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee As-

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sistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $2,027,876,000, to remain available until expended, of which not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements, and $5,000,000 shall be made available for refugees resettling in Israel.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $1,000,000, to remain available until expended: *Provided*, That amounts in excess of the limitation contained in paragraph (2) of such section shall be transferred to, and merged with, funds made available by this Act under the heading "Migration and Refugee Assistance".

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INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501 et seq.), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $410,500,000, of which $6,000,000 is for the Office of Inspector General, to remain available until September 30, 2020: *Provided*, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by section 16 of the Peace Corps Act (22 U.S.C. 2515), an amount not to exceed $5,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: *Provided further*, That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: *Provided further*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That notwithstanding the previous proviso, section 614 of division E of Public Law 113–76 shall apply to funds appropriated under this heading.

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MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), $905,000,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to $105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *Provided further*, That section 605(e) of the MCA shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: *Provided further*, That no country should be eligible for a threshold program after such country has completed a country compact: *Provided further*, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: *Provided further*, That of the funds appropriated under this heading, not to exceed $100,000 may be available for rep-

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resentation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $22,500,000, to remain available until September 30, 2020: *Provided*, That of the funds appropriated under this heading, not to exceed $2,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the African Development Foundation Act (title V of Public Law 96–533; 22 U.S.C. 290h et seq.), $30,000,000, to remain available until September 30, 2020, of which not to exceed $2,000 may be available for representation expenses: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act (22 U.S.C. 290h–3(a)(2)), in excep-

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tional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: *Provided further,* That the USADF shall submit a report to the appropriate congressional committees after each time such waiver authority is exercised: *Provided further*, That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: *Provided further*, That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on such accounts, in furtherance of the purposes of the African Development Foundation Act: *Provided further*, That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $30,000,000, to remain available until expended, of which not more than $6,000,000 may be used for administrative

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expenses: *Provided*, That amounts made available under this heading may be made available to contract for services as described in section 129(d)(3)(A) of the Foreign Assistance Act of 1961, without regard to the location in which such services are performed.

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TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,497,469,000, to remain available until September 30, 2020: *Provided*, That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of such Act, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, judges, and other judicial authorities, utilizing regional partners: *Provided fur-*

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ther, That funds made available under this heading that are transferred to another department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $5,000,000, and any agreement made pursuant to section 632(a) of such Act, shall be subject to the regular notification procedures of the Committees on Appropriations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $864,550,000, to remain available until September 30, 2020, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act, or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear

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Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): *Provided*, That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be made available, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: *Provided further*, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities,

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subject to the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $163,457,000: *Provided*, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: *Provided further*, That of the funds appropriated under this heading, not less than $31,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai and not less than $71,000,000 shall be made available for the Global Peace Operations Initiative: *Provided further*, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $110,778,000, of which up to $11,000,000 may remain available until September 30, 2020: *Provided*, That the

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civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That of the funds appropriated under this heading, not to exceed $50,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $5,962,241,000: *Provided*, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than $3,300,000,000 shall be available for grants only for Israel which shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made avail-

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able for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $815,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: *Provided further,* That funds made available under this heading may be used, notwithstanding

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any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than $75,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be

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available for entertainment expenses and not to exceed $130,000 may be available for representation expenses: *Provided further*, That not more than $1,009,700,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2019 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

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TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, $339,000,000: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $139,575,000, to remain available until, and to be fully disbursed no later than, September 30, 2020: *Provided*, That of such amount, $136,563,000, which shall remain available until September 30, 2019, is only available for the first installment of the seventh replenishment of the Global Environment Facility, and shall be obligated and disbursed not later than 90 days after enactment of this Act: *Provided further*, That the Secretary shall report to the Committees on Appropriations on the status of funds provided under this heading not less than quarterly until fully disbursed: *Provided further*, That in such report the

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Secretary shall provide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,097,010,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, $47,395,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $32,417,159, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $507,860,806.

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CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $171,300,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $30,000,000, to remain available until, and to be fully disbursed no later than, September 30, 2020, for the first installment of the eleventh replenishment of the International Fund for Agricultural Development: *Provided*, That the Secretary of the Treasury shall report to the Committees on Appropriations on the status of such payment not less than quarterly until fully disbursed: *Provided further*, That in such report the Secretary shall provide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.

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TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,700,000, of which up to $855,000 may remain available until September 30, 2020.

PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided,* That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has deto-

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nated a nuclear explosive after the date of enactment of this Act.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $110,000,000, of which up to $16,500,000 may remain available until September 30, 2020: *Provided*, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further*, That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a

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loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: *Provided further*, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945 (Public Law 79–173) and the Federal Credit Reform Act of 1990, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: *Provided*, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided,* That the amount available for administrative expenses to carry out the credit and insur-

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ance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $79,200,000: *Provided further,* That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading: *Provided further*, That of the funds appropriated under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, up to $5,000,000 may be made available for limited transition costs associated with the implementation of section 1463 of the Better Utilization of Investments Leading to Development (BUILD) Act of 2018 (division F of Public Law 115–254): *Provided further*, That prior to the initial obligation of funds made available for such transition costs, the President of the Overseas Private Investment Corporation shall submit a spend plan to the Committees on Appropriations for the use of such funds: *Provided further*, That funds made available for such transition costs shall be subject to the regular notification procedures of the Committees on Appropriations, and may not be made available until the re-

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organization plan required by section 1462(a) of the BUILD Act of 2018 is transmitted to Congress.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans as authorized by section 234 of the Foreign Assistance Act of 1961, $20,000,000, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account, to remain available until September 30, 2021: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds so obligated in fiscal year 2019 remain available for disbursement through 2027; funds obligated in fiscal year 2020 remain available for disbursement through 2028; and funds obligated in fiscal year 2021 remain available for disbursement through 2029: *Provided further*, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

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In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $79,500,000, to remain available until September 30, 2020, of which no more than $19,000,000 may be used for administrative expenses: *Provided*, That of the funds appropriated under this heading, not more than $5,000 may be available for representation and entertainment expenses.

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TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger transportation pursuant to section 1343(b) of title 31, United States Code.

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2019 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

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CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) CAPITAL SECURITY COST SHARING INFORMATION.—The Secretary of State shall promptly inform the Committees on Appropriations of each instance in which a Federal department or agency is delinquent in providing the full amount of funding required by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note).

(b) EXCEPTION.—Notwithstanding paragraph (2) of section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act), as amended by section 111 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323), a project to construct a facility of the United States

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may include office space or other accommodations for members of the United States Marine Corps.

(c) NEW DIPLOMATIC FACILITIES.—For the purposes of calculating the fiscal year 2019 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the contribution of the Department of State for this purpose.

(d) CONSULTATION AND NOTIFICATION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas United States diplomatic facilities during fiscal year 2019, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That notifications pursuant to this subsection shall include the information enumerated under the heading "Embassy Security, Construction, and Maintenance" in House Report 115–829.

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(e) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) SECURITY VULNERABILITIES.—Funds appropriated by this Act under the heading "Embassy Security, Construction, and Maintenance" may be made available, following consultation with the appropriate congressional committees, to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing, except that the amount of funds made available for such purposes from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be a minimum of $25,000,000.

(2) CONSULTATION.—Notwithstanding any other provision of law, the opening, closure, or any significant modification to an interim or temporary United States diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

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(f) TRANSFER OF FUNDS AUTHORITY.—Funds appropriated under the headings "Diplomatic Programs", including for Worldwide Security Protection, "Emergencies in the Diplomatic and Consular Service", and "Embassy Security, Construction, and Maintenance" in this Act may be transferred to, and merged with, funds appropriated under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, for emergency evacuations, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available in this Act and under any other provision of law.

(g) SOFT TARGETS.—Funds appropriated by this Act under the heading "Embassy Security, Construction, and Maintenance" may be made available for security upgrades to soft targets, including schools, recreational facilities, and residences used by United States diplomatic personnel and their dependents, except that the amount made available for such purposes shall be a minimum of $10,000,000.

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(h) REPORT.—Within 45 days of enactment of this Act and every 3 months thereafter until the completion of each project, the Secretary of State shall submit to the Committees on Appropriations a report on the Erbil Consulate, Beirut Embassy, Jakarta Embassy, Mexico City Embassy, and New Delhi Embassy, as described under this section in the joint explanatory statement accompanying this Act.

(i) SECURE RESUPPLY AND MAINTENANCE.—The Secretary of State may not grant final approval for the construction of a new facility or substantial construction to improve or expand an existing facility in the United States by or for the Government of the People's Republic of China until the Secretary certifies and reports to the appropriate congressional committees that an agreement has been concluded between the Governments of the United States and the People's Republic of China that permits secure resupply, maintenance, and new construction of United States Government facilities in the People's Republic of China.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budg-

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etary resources available under title I to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act.

DEPARTMENT OF STATE MANAGEMENT

SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVEMENT.—Funds appropriated by this Act for the operations of the Department of State under the headings "Diplomatic Programs" and "Capital Investment Fund" shall be made available to implement the recommendations contained in the Foreign Assistance Data Review Findings Report (FADR) and the Office of Inspector General (OIG) report entitled "Department Financial Systems Are Insufficient to Track and Report on Foreign Assistance Funds": *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an update to the plan required under section 7006 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) for implementing the FADR and OIG recommendations: *Provided further*, That such funds may not be obligated for

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enhancements to, or expansions of, the Budget System Modernization Financial System, Central Resource Management System, Joint Financial Management System, or Foreign Assistance Coordination and Tracking System until such updated plan is submitted to the Committees on Appropriations: *Provided further*, That such funds may not be obligated for new, or expansion of existing, ad hoc electronic systems to track commitments, obligations, or expenditures of funds unless the Secretary of State, following consultation with the Chief Information Officer of the Department of State, has reviewed and certified that such new system or expansion is consistent with the FADR and OIG recommendations.

(b) WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the service centers included in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2019: *Provided*, That the amounts for such service centers shall be the amounts included in such budget justification, except as provided in section 7015(b) of this Act: *Provided further*, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: *Provided further*, That prior to increasing the per-

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centage charged to Department of State bureaus and offices for procurement-related activities, the Secretary of State shall include the proposed increase in the Department of State budget justification or, at least 60 days prior to the increase, provide the Committees on Appropriations a justification for such increase, including a detailed assessment of the cost and benefit of the services provided by the procurement fee: *Provided further*, That Federal agency components may only pay for Working Capital Fund services that are consistent with the purpose and authorities of such components: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(c) CERTIFICATION.—

(1) Not later than 45 days after the initial obligation of funds appropriated under titles III and IV of this Act that are made available to a Department of State bureau or office with responsibility for the management and oversight of such funds, the Secretary of State shall certify and report to the Committees on Appropriations, on an individual bureau or office basis, that such bureau or office is in compliance with Department and Federal financial and

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grants management policies, procedures, and regulations, as applicable.

(2) When making a certification required by paragraph (1), the Secretary of State shall consider the capacity of a bureau or office to—

(A) account for the obligated funds at the country and program level, as appropriate;

(B) identify risks and develop mitigation and monitoring plans;

(C) establish performance measures and indicators;

(D) review activities and performance; and

(E) assess final results and reconcile finances.

(3) If the Secretary of State is unable to make a certification required by paragraph (1), the Secretary shall submit a plan and timeline detailing the steps to be taken to bring such bureau or office into compliance.

(4) The report accompanying a certification required by paragraph (1) shall include the requirements contained under this section in House Report 115–829.

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PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: *Provided*, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or

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public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER OF FUNDS AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—

(1) DEPARTMENT OF STATE.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading "Representation Expenses".

(2) BROADCASTING BOARD OF GOVERNORS.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

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(3) TREATMENT AS REPROGRAMMING.—Any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) TITLE VI AGENCIES.—Not to exceed 5 percent of any appropriation, other than for administrative expenses made available for fiscal year 2019, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided,* That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) LIMITATION ON TRANSFERS OF FUNDS BETWEEN AGENCIES.—

(1) IN GENERAL.—None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer author-

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ity provided in, this Act or any other appropriations Act.

(2) ALLOCATION AND TRANSFERS.—Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) NOTIFICATION.—Any agreement entered into by the United States Agency for International Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Global Health Programs", "Development Assistance", "Economic Support Fund", and "Assistance for Europe, Eurasia and Central Asia" shall be subject to the reg-

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ular notification procedures of the Committees on Appropriations: *Provided*, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriations account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations and related programs, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the trans-

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fer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: *Provided*, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: *Provided further*, That funds transferred under such authority may be made available for the cost of such audits.

(f) REPORT.—Not later than October 31, 2019, the Secretary of State and the USAID Administrator shall each submit a report to the Committees on Appropriations detailing all transfers to another agency of the United States Government made pursuant to sections 632(a) and 632(b) of the Foreign Assistance Act of 1961 with funds provided in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141): *Provided*, That such reports shall include a list of each transfer made pursuant to such sections with the respective funding level, appropriation account, and the receiving agency.

PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the funds made available by this Act may be used for first-

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class travel by employees of United States Government departments and agencies funded by this Act in contravention of section 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

(b) COMPUTER NETWORKS.—None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit websites: *Provided*, That nothing in this subsection shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency, or any other entity carrying out the following activities: criminal investigations, prosecutions, and adjudications; administrative discipline; and the monitoring of such websites undertaken as part of official business.

(c) PROHIBITION ON PROMOTION OF TOBACCO.—None of the funds made available by this Act should be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

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AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided by this Act: *Provided,* That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the headings "Development Credit Authority" and "Assistance for Europe, Eurasia and Central Asia" shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That the availability of funds pursuant to the previous proviso shall not be applicable to such funds until the Secretary of State submits the reports required under section 7011 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) and the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141): *Provided further,* That notwithstanding any other provision of this Act, any funds made available for the

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purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: *Provided further,* That the Secretary of State shall provide a report to the Committees on Appropriations not later than October 31, 2019, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultation with the Committees on Appropriations, that assistance for such country is in the national interest of the United States.

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PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State and the Administrator of the United States Agency for International Development shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) NOTIFICATION AND REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2019 on funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs by a foreign government or entity against United States assistance programs, either directly or through grantees, contractors, and subcontractors, shall be withheld from obligation from funds appropriated for assistance for fiscal year 2020 and for prior fiscal years

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and allocated for the central government of such country or for the West Bank and Gaza program, as applicable, if, not later than September 30, 2020, such taxes have not been reimbursed: *Provided*, That the Secretary of State shall report to the Committees on Appropriations by such date on the foreign governments and entities that have not reimbursed such taxes, including any amount of funds withheld pursuant to this subsection.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each foreign government or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) DETERMINATIONS.—

(1) IN GENERAL.—The provisions of this section shall not apply to any foreign government or entity that assesses such taxes if the Secretary of State reports to the Committees on Appropriations that—

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(A) such foreign government or entity has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) CONSULTATION.—The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any foreign government or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue and update rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section:

(1) BILATERAL AGREEMENT.—The term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States

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and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

(2) TAXES AND TAXATION.—The term "taxes and taxation" shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

(h) REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant agencies of the United States Government, shall submit a report to the Committees on Appropriations on the requirements contained under this section in House Report 115–829.

RESERVATIONS OF FUNDS

SEC. 7014. (a) REPROGRAMMING.—Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be

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made available under the same terms and conditions as originally provided.

(b) EXTENSION OF AVAILABILITY.—In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) OTHER ACTS.—Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: *Provided*, That specifically designated funding levels or minimum funding requirements

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contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) NOTIFICATION OF CHANGES IN PROGRAMS, PROJECTS, AND ACTIVITIES.—None of the funds made available in titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to the departments and agencies funded by this Act that remain available for obligation in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the departments and agencies funded by this Act, shall be available for obligation to—

(1) create new programs;

(2) suspend or eliminate a program, project, or activity;

(3) close, suspend, open, or reopen a mission or post;

(4) create, close, reorganize, downsize, or rename bureaus, centers, or offices; or

(5) contract out or privatize any functions or activities presently performed by Federal employees;

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unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.

(b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—None of the funds provided under titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, to the departments and agencies funded under titles I and II of this Act that remain available for obligation in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the department and agency funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that—

(1) augments or changes existing programs, projects, or activities;

(2) relocates an existing office or employees;

(3) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(4) results from any general savings, including savings from a reduction in personnel, which would

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result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) NOTIFICATION REQUIREMENT.—None of the funds made available by this Act under the headings "Global Health Programs", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Economic Support Fund", "Democracy Fund", "Assistance for Europe, Eurasia and Central Asia", "Peacekeeping Operations", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation", "Foreign Military Financing Program", "International Military Education and Training", and "Peace Corps", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance of such obligation: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision

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of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: *Provided further*, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

(d) DEPARTMENT OF DEFENSE PROGRAMS AND FUNDING NOTIFICATIONS.—

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(1) PROGRAMS.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to support or continue any program initially funded under any authority of title 10, United States Code, or any Act making or authorizing appropriations for the Department of Defense, unless the Secretary of State, in consultation with the Secretary of Defense and in accordance with the regular notification procedures of the Committees on Appropriations, submits a justification to such Committees that includes a description of, and the estimated costs associated with, the support or continuation of such program.

(2) FUNDING.—Notwithstanding any other provision of law, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) NOTIFICATION ON EXCESS DEFENSE ARTICLES.—Prior to providing excess Department of Defense articles in accordance with section 516(a) of

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the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

(e) WAIVER.—The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Pro-*

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vided, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) COUNTRY NOTIFICATION REQUIREMENTS.—None of the funds appropriated under titles III through VI of this Act may be obligated or expended for assistance for Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colombia, Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Philippines, the Russian Federation, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

(g) TRUST FUNDS.—Funds appropriated or otherwise made available in title III of this Act and prior Acts making funds available for the Department of State, foreign operations, and related programs that are made available for a trust fund held by an international financial institution shall be subject to the regular notification pro-

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cedures of the Committees on Appropriations: *Provided*, That such notification shall include the information specified under this section in the explanatory statement accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141).

(h) OTHER PROGRAM NOTIFICATION REQUIREMENT.—

(1) DIPLOMATIC PROGRAMS.—Funds appropriated under title I of this Act under the heading "Diplomatic Programs" that are made available for a pilot program for lateral entry into the Foreign Service shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) OTHER PROGRAMS.—Funds appropriated by this Act that are made available for the following programs and activities shall be subject to the regular notification procedures of the Committees on Appropriations—

(A) The Global Engagement Center, except that the Secretary of State shall consult with the appropriate congressional committees prior to submitting such notification;

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(B) The Power Africa initiative, or any successor program;

(C) Community-based police assistance conducted pursuant to the authority of section 7049(a)(1) of this Act;

(D) Programs to counter foreign fighters and extremist organizations, pursuant to section 7071(a) of this Act;

(E) The Relief and Recovery Fund;

(F) The Indo-Pacific Strategy;

(G) The Global Security Contingency Fund;

(H) The Countering Russian Influence Fund; and

(I) Programs to end modern slavery.

(i) WITHHOLDING OF FUNDS.—Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

(j) REQUIREMENT TO INFORM, COORDINATE, AND CONSULT.—

(1) The Secretary of State shall promptly inform the appropriate congressional committees of

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each instance in which funds appropriated by this Act for assistance for Iraq, Libya, Somalia, Syria, the Counterterrorism Partnership Fund, the Relief and Recovery Fund, or programs to counter extremism and foreign fighters abroad, have been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State or USAID, as appropriate: *Provided*, That the Secretary shall ensure such funds are coordinated with, and complement, the programs of other United States Government departments and agencies and international partners in such countries and on such activities.

(2) The Secretary of State shall consult with the Committees on Appropriations at least seven days prior to informing a government of, or publically announcing a decision on, the suspension of assistance to a country or a territory, including as a result of an interagency review of such assistance, from funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs.

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DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND RELATED CYBERSECURITY PROTECTIONS

SEC. 7016. (a) REQUESTS FOR DOCUMENTS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Department of State and the United States Agency for International Development.

(b) RECORDS MANAGEMENT AND RELATED CYBERSECURITY PROTECTIONS.—

(1) LIMITATION.—None of the funds appropriated by this Act under the headings "Diplomatic Programs" and "Capital Investment Fund" in title I, and "Operating Expenses" and "Capital Investment Fund" in title II that are made available to the Department of State and USAID may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

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(2) DIRECTIVES.—The Secretary of State and USAID Administrator shall—

(A) regularly review and update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(B) use funds appropriated by this Act under the headings "Diplomatic Programs" and "Capital Investment Fund" in title I, and "Operating Expenses" and "Capital Investment Fund" in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

(C) direct departing employees that all Federal records generated by such employees, including senior officials, belong to the Federal Government;

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(D) improve the response time for identifying and retrieving Federal records, including requests made pursuant to section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act"); and

(E) strengthen cyber security measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain, improve the process to identify and remove inactive user accounts, update and enforce guidance related to the control of national security information, and implement the recommendations of the applicable reports of the cognizant Office of Inspector General.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7017. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

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PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

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ALLOCATIONS AND REPORTS

SEC. 7019. (a) ALLOCATION TABLES.—Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available in the amounts specifically designated in the respective tables included in the joint explanatory statement accompanying this Act: *Provided*, That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961.

(b) AUTHORIZED DEVIATIONS.—Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may only deviate up to 10 percent from the amounts specifically designated in the respective tables included in the joint explanatory statement accompanying this Act: *Provided*, That such percentage may be exceeded only if the Secretary of State and USAID Administrator, as applicable, determines and reports to the Committees on Appropriations on a case-by-case basis that such deviation is necessary to respond to significant, exigent, or unforeseen events or to address other exceptional circumstances directly related to the national security interest of the United States: *Provided fur-*

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ther, That deviations pursuant to the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) LIMITATION.—For specifically designated amounts that are included, pursuant to subsection (a), in the report required by section 653(a) of the Foreign Assistance Act of 1961, no deviations authorized by subsection (b) may take place until submission of such report.

(d) EXCEPTIONS.—

(1) Subsections (a) and (b) shall not apply to—

(A) amounts designated for "International Military Education and Training" in the respective tables included in the joint explanatory statement accompanying this Act;

(B) funds for which the initial period of availability has expired;

(C) amounts designated by this Act as minimum funding requirements; and

(D) funds made available for a country pursuant to sections 7043(c), 7047(d), and 7071(b) of this Act.

(2) The authority in subsection (b) to deviate below amounts designated in the respective tables included in the joint explanatory statement accom-

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panying this Act shall not apply to the table included under the heading "Global Health Programs" in such explanatory statement.

(3) With respect to the amounts designated for "Global Programs" in the table under the heading "Economic Support Fund" included in the joint explanatory statement accompanying this Act, subsection (b) shall be applied by substituting "5 percent" for "10 percent".

(e) REPORTS.—The Secretary of State and the USAID Administrator, as appropriate, shall submit the reports required, in the manner described, in House Report 115–829, Senate Report 115–282, and the joint explanatory statement accompanying this Act, unless directed otherwise in such explanatory statement.

REPRESENTATION AND ENTERTAINMENT EXPENSES

SEC. 7020. (a) USES OF FUNDS.—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests, and—

(1) are primarily for fostering relations outside of the Executive Branch;

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(2) are principally for meals and events of a protocol nature;

(3) are not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(b) LIMITATIONS.—None of the funds appropriated or otherwise made available by this Act under the headings "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Global Health Programs", "Development Assistance", "Economic Support Fund", and "Assistance for Europe, Eurasia and Central Asia" may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) PROHIBITION.—None of the funds appropriated or otherwise made available under titles III through VI of this Act may be made available to any

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foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: *Provided*, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: *Provided further*, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) DETERMINATION.—Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interest of the United States.

(3) REPORT.—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of

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how the assistance furthers United States national interest.

(b) BILATERAL ASSISTANCE.—

(1) LIMITATIONS.—Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) WAIVER.—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: *Provided*, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the

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waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading "Trade and Development Agency", may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: "Economic Support Fund", "Assistance for Europe, Eurasia and Central Asia", and "Foreign Military Financing Program", "program, project, and activity" shall also be considered to include

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country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days after enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: *Provided*, That prior to conducting activities in a country for which assistance is pro-

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hibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) WORLD MARKETS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropria-

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tions: *Provided further*, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) EXPORTS.—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not

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have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit United States producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

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SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) AGREEMENTS.—If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

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(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as

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the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORT.—The USAID Administrator shall report as part of the congressional budget justification submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) IN GENERAL.—If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

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(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

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ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia": *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2019, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public

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Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

LOCAL COMPETITION

SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO COMPETITION FOR LOCAL ENTITIES.—Funds appropriated by this Act that are made available to the United States Agency for International Development may only be made available for limited competitions through local entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

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(A) assessed the level of local capacity to effectively implement, manage, and account for programs included in such competition; and

(B) documented the written results of the assessment and decisions made; and

(2) prior to making an award after limiting competition to local entities—

(A) each successful local entity has been determined to be responsible in accordance with USAID guidelines; and

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) REPORT.—In addition to the requirements of subsection (a)(1), the USAID Administrator shall report to the appropriate congressional committees not later than 45 days after the end of fiscal year 2019 on all awards subject to limited or no competition for local entities: *Provided*, That such report shall be posted on the USAID website: *Provided further*, That the requirements of this subsection shall only apply to awards in excess of $3,000,000 and sole source awards to local entities in excess of $2,000,000.

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(c) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2019.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution adopts and implements a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2018 by the United States executive directors and the international financial institutions

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consistent with this subsection compared to the previous fiscal year.

(b) SAFEGUARDS.—

(1) The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development and the International Development Association to vote against any loan, grant, policy, or strategy if such institution has adopted and is implementing any social or environmental safeguard relevant to such loan, grant, policy, or strategy that provides less protection than World Bank safeguards in effect on September 30, 2015.

(2) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to vote against loans or other financing for projects unless such projects—

(A) provide for accountability and transparency, including the collection, verification and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(B) will be developed and carried out in accordance with best practices regarding environ-

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mental conservation; cultural protection; and empowerment of local populations, including free, prior and informed consent of affected indigenous communities;

(C) do not provide incentives for, or facilitate, forced displacement; and

(D) do not partner with or otherwise involve enterprises owned or controlled by the armed forces.

(c) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

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(d) HUMAN RIGHTS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote human rights due diligence and risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution in accordance with the criteria specified under this subsection in Senate Report 115–282: *Provided*, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(e) FRAUD AND CORRUPTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote in loan, grant, and other financing agreements improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption.

(f) BENEFICIAL OWNERSHIP INFORMATION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution collects,

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verifies, and publishes, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds from any such financial institution: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2018 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(g) WHISTLEBLOWER PROTECTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that each such institution is effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosure;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to independent adjudicative bodies, including external arbitration; and

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(5) results that eliminate the effects of proven retaliation.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) REQUIREMENTS.—Funds appropriated by this Act may be made available for direct government-to-government assistance only if—

(A)(i) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified

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vulnerabilities or weaknesses of such agency or ministry have been addressed;

(ii) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(iii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iv) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;

(v) no level of acceptable fraud is assumed; and

(vi) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures;

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

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(D) the Government of the United States and the government of the recipient country have agreed, in writing, on clear and achievable objectives for the use of such assistance, which should be made available on a cost-reimbursable basis; and

(E) the recipient government is taking steps to protect the rights of civil society, including freedoms of expression, association, and assembly.

(2) CONSULTATION AND NOTIFICATION.—In addition to the requirements in paragraph (1), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: *Provided*, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further*, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) SUSPENSION OF ASSISTANCE.—The Administrator of the United States Agency for Inter-

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national Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) SUBMISSION OF INFORMATION.—The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2020 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

(5) REPORT.—Not later than 90 days after enactment of this Act and every 6 months thereafter until September 30, 2020, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in paragraph (1) provided during the previous 6-month

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period by country, funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a reimbursable basis.

(6) DEBT SERVICE PAYMENT PROHIBITION.—None of the funds made available by this Act may be used by the government of any foreign country for debt service payments owed by any country to any international financial institution.

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.—The Secretary of State shall continue to update and strengthen the "minimum requirements of fiscal transparency" for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) DEFINITION.—For purposes of paragraph (1), "minimum requirements of fiscal transparency" are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget

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documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of "significant progress" or "no significant progress" in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual "Fiscal Transparency Report" to be posted on the Department of State website: *Provided*, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: *Provided further*, That the annual report shall include a detailed description of how funds appropriated by this Act are being used to improve fiscal transparency, and identify benchmarks for measuring progress.

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(4) ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: *Provided*, That such sums shall be in addition to funds otherwise available for such purposes: *Provided further*, That a description of the uses of such funds shall be included in the annual "Fiscal Transparency Report" required by paragraph (3).

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

(1) INELIGIBILITY.—

(A) Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary shall also publicly or privately designate or identify officials of foreign governments and their immediate family members about whom the Secretary has such

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credible information without regard to whether the individual has applied for a visa.

(2) EXCEPTION.—Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) REPORT.—Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to para-

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graph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) POSTING OF REPORT.—Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State website.

(6) CLARIFICATION.—For purposes of paragraphs (1)(B), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) EXTRACTION OF NATURAL RESOURCES.—

(1) ASSISTANCE.—Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2052)

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and the amendments made by such section, and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) UNITED STATES POLICY.—

(A) The Secretary of the Treasury shall inform the management of the international financial institutions, and post on the Department of the Treasury website, that it is the policy of the United States to vote against any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by United States law, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered for—

(i) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

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(ii) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(iii) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(B) The requirements of subparagraph (A) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this subparagraph.

(e) FOREIGN ASSISTANCE WEBSITE.—Funds appropriated by this Act under titles I and II, and funds made available for any independent agency in title III, as appropriate, shall be made available to support the provision of additional information on United States Government foreign assistance on the Department of State foreign assistance website: *Provided*, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request, to the Department of State.

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DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—

(1) IN GENERAL.—Of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", "Democracy Fund", "Assistance for Europe, Eurasia and Central Asia", and "International Narcotics Control and Law Enforcement", not less than $2,400,000,000 shall be made available for democracy programs.

(2) PROGRAMS.—Of the funds made available for democracy programs under the headings "Economic Support Fund" and "Assistance for Europe, Eurasia and Central Asia" pursuant to paragraph (1), not less than $89,540,000 shall be made available to the Bureau of Democracy, Human Rights, and Labor, Department of State, at not less than the amounts specified for certain countries and regional programs designated in the table under this section in the joint explanatory statement accompanying this Act.

(b) AUTHORITIES.—

(1) Funds made available by this Act for democracy programs pursuant to subsection (a) and under the heading "National Endowment for Democracy" may be made available notwithstanding

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any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.

(2) Funds made available by this Act for the NED are made available pursuant to the authority of the National Endowment for Democracy Act (title V of Public Law 98–164), including all decisions regarding the selection of beneficiaries.

(c) DEFINITION OF DEMOCRACY PROGRAMS.—For purposes of funds appropriated by this Act, the term "democracy programs" means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states and institutions that are responsive and accountable to citizens.

(d) PROGRAM PRIORITIZATION.—Funds made available pursuant to this section that are made available for programs to strengthen government institutions shall be prioritized for those institutions that demonstrate a commitment to democracy and the rule of law, as determined by the Secretary of State or the Administrator of the

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United States Agency for International Development, as appropriate.

(e) RESTRICTION ON PRIOR APPROVAL.—With respect to the provision of assistance for democracy programs in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: *Provided*, That the Secretary of State, in coordination with the USAID Administrator, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) CONTINUATION OF CURRENT PRACTICES.—USAID shall continue to implement civil society and political competition and consensus building programs abroad with funds appropriated by this Act in a manner that recognizes the unique benefits of grants and cooperative agreements in implementing such programs: *Provided*, That nothing in this paragraph shall be construed to affect the ability of any entity, including United States small businesses, from competing for proposals for USAID-funded civil society and political competition and consensus building programs.

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(g) INFORMING THE NATIONAL ENDOWMENT FOR DEMOCRACY.—The Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the National Endowment for Democracy of democracy programs that are planned and supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(h) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND JOURNALISTS.—Of the funds appropriated by this Act under the headings "Economic Support Fund" and "Democracy Fund", not less than $15,000,000 shall be made available to support and protect civil society activists and journalists who have been threatened, harassed, or attacked, consistent with the action plan submitted pursuant to, and on the same terms and conditions of, section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141).

INTERNATIONAL RELIGIOUS FREEDOM

SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM.—

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(1) OPERATIONS.—Funds appropriated by this Act under the heading "Diplomatic Programs" shall be made available for the Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, Department of State, and the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, as authorized in the Near East and South Central Asia Religious Freedom Act of 2014 (Public Law 113–161), including for support staff at not less than the amounts specified for such offices in the table under such heading in the joint explanatory statement accompanying this Act.

(2) CURRICULUM.—Funds appropriated under the heading "Diplomatic Programs" and designated for the Office of International Religious Freedom shall be made available for the development and implementation of an international religious freedom curriculum in accordance with section 708(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4028(a)(2)).

(b) ASSISTANCE.—

(1) INTERNATIONAL RELIGIOUS FREEDOM PROGRAMS.—Of the funds appropriated by this Act under the heading "Democracy Fund" and available

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for the Human Rights and Democracy Fund, not less than $10,000,000 shall be made available for international religious freedom programs: *Provided*, That the Ambassador-at-Large for International Religious Freedom shall consult with the Committees on Appropriations on the uses of such funds.

(2) PROTECTION AND INVESTIGATION PROGRAMS.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $10,000,000 shall be made available for programs to protect vulnerable and persecuted religious minorities: *Provided*, That a portion of such funds shall be made available for programs to investigate the persecution of such minorities by governments and non-state actors and for the public dissemination of information collected on such persecution, including on the Department of State website.

(3) HUMANITARIAN PROGRAMS.—Funds appropriated by this Act under the headings "International Disaster Assistance" and "Migration and Refugee Assistance" shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities, including victims of genocide designated by the Secretary of State and other

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groups that have suffered crimes against humanity and ethnic cleansing, to—

(A) facilitate the implementation of an immediate, coordinated, and sustained response to provide humanitarian assistance;

(B) enhance protection of conflict victims, including those facing a dire humanitarian crisis and severe persecution because of their faith or ethnicity;

(C) improve access to secure locations for obtaining humanitarian and resettlement services; and

(D) build resilience and help reestablish livelihoods for displaced and persecuted persons in their communities of origin.

(4) TRANSITIONAL JUSTICE, RECONCILIATION, AND REINTEGRATION PROGRAMS.—Of the funds appropriated by this Act that are made available for the Relief and Recovery Fund, not less than $5,000,000 shall be made available to support transitional justice, reconciliation, and reintegration programs for vulnerable and persecuted religious minorities, including in the Middle East and North Africa regions: *Provided*, That such funds shall be

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matched, to the maximum extent practicable, from sources other than the United States Government.

(5) RESPONSIBILITY FOR FUNDS.—Funds made available by paragraphs (1) and (2) shall be the responsibility of the Ambassador-at-Large for International Religious Freedom, in consultation with other relevant United States Government officials.

(c) INTERNATIONAL BROADCASTING.—Funds appropriated by this Act under the heading "Broadcasting Board of Governors, International Broadcasting Operations" shall be made available for programs related to international religious freedom, including reporting on the condition of vulnerable and persecuted religious groups.

(d) FUNDING CLARIFICATION.—

(1) Funds made available pursuant to subsection (b) are in addition to amounts otherwise made available for such purposes.

(2) Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Economic Support Fund" may be made available notwithstanding any other provision of law for assistance for ethnic and religious minorities in Iraq and Syria.

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SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) FORENSIC ASSISTANCE.—

(1) Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $10,000,000 shall be made available for forensic anthropology assistance related to the exhumation and identification of victims of war crimes, crimes against humanity, and genocide, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State: *Provided*, That such funds shall be in addition to funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for countries.

(2) Of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement", not less than $8,000,000 shall

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be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(c) ATROCITIES PREVENTION.—Of the funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement", not less than $5,000,000 shall be made available for programs to prevent atrocities, including to implement recommendations of the Atrocities Prevention Board, or any successor entity: *Provided*, That the Under Secretary for Civilian Security, Democracy, and Human Rights, Department of State, shall be responsible for providing the strategic policy direction for, and policy oversight of, funds made available pursuant to this subsection to the Bureaus of International Narcotics and Law Enforcement Affairs and Democracy, Human Rights, and Labor, Department of State: *Provided further*, That funds made available pursuant to this subsection are in addition to amounts otherwise made available for such purposes: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) WORLD FOOD PROGRAMME.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Devel-

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opment, from this or any other Act, may be made available as a general contribution to the World Food Programme, notwithstanding any other provision of law.

(e) DIRECTIVES AND AUTHORITIES.—

(1) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading "Assistance for Europe, Eurasia and Central Asia" shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) GENOCIDE VICTIMS MEMORIAL SITES.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Economic Support Fund" and "Assistance for Europe, Eurasia and Central Asia" may be made available as contributions to establish and maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

(3) ADDITIONAL AUTHORITIES.—Of the amounts made available by title I of this Act under the heading "Diplomatic Programs", up to $500,000

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may be made available for grants pursuant to section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities, and up to $1,000,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.

(4) INNOVATION.—The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards: *Provided*, That each individual award may not exceed $100,000: *Provided further*, That no more than 10 such awards may be made during fiscal year 2019: *Provided further*, That for purposes of this paragraph the term "innovation incentive award" means the provision of funding on a competitive basis that—

(A) encourages and rewards the development of solutions for a particular, well-defined problem related to the alleviation of poverty; or

(B) helps identify and promote a broad range of ideas and practices facilitating further development of an idea or practice by third parties.

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(5) EXCHANGE VISITOR PROGRAM.—None of the funds made available by this Act may be used to modify the Exchange Visitor Program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961, as amended, (Public Law 87–256; 22 U.S.C. 2451 et seq.), except through the formal rulemaking process pursuant to the Administrative Procedure Act and notwithstanding the exceptions to such rulemaking process in such Act: *Provided*, That funds made available for such purpose shall only be made available after consultation with, and subject to the regular notification procedures of, the Committees on Appropriations, regarding how any proposed modification would affect the public diplomacy goals of, and the estimated economic impact on, the United States.

(6) REPORT.—The report required by section 502(d) of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115–31; 22 U.S.C. 254a note) shall be provided to the Committees on Appropriations.

(7) PRIVATE SECTOR PARTNERSHIPS.—Of the funds appropriated by this Act under the headings "Development Assistance" and "Economic Support

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Fund'' that are made available for private sector partnerships, up to $50,000,000 may remain available until September 30, 2021: *Provided*, That funds made available pursuant to this paragraph may only be made available following prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(f) PARTNER VETTING.—Prior to initiating a partner vetting program, or making significant changes to the scope of an existing partner vetting program, the Secretary of State and USAID Administrator, as appropriate, shall consult with the Committees on Appropriations.

(g) CONTINGENCIES.—During fiscal year 2019, the President may use up to $125,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(h) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: *Provided*, That the Secretary shall report

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to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(i) CULTURAL PRESERVATION PROJECT DETERMINATION.—None of the funds appropriated in titles I and III of this Act may be used for the preservation of religious sites unless the Secretary of State or the USAID Administrator, as appropriate, determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

(j) TRANSFER OF FUNDS FOR EXTRAORDINARY PROTECTION.—The Secretary of State may transfer to, and merge with, funds under the heading "Protection of Foreign Missions and Officials" unobligated balances of expired funds appropriated under the heading "Diplomatic Programs" for fiscal year 2019, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: *Provided*, That not more than $50,000,000 may be transferred.

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(k) AUTHORITY TO COUNTER EXTREMISM.—Funds made available by this Act under the heading "Economic Support Fund" to counter extremism may be made available notwithstanding any other provision of law restricting assistance to foreign countries, except sections 502B and 620A of the Foreign Assistance Act of 1961: *Provided*, That the use of the authority of this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(l) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—Section 7034(k) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2019.

(m) EXTENSION OF AUTHORITIES.—

(1) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting "September 30, 2019" for "September 30, 2010".

(2) INCENTIVES FOR CRITICAL POSTS.—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law

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111–32) shall remain in effect through September 30, 2019.

(3) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting "September 30, 2019" for "October 1, 2010" in subparagraph (B).

(4) OVERSEAS PAY COMPARABILITY AND LIMITATION.—

(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2019.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's

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official duty station were in the District of Columbia.

(5) CATEGORICAL ELIGIBILITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(A) in section 599D (8 U.S.C. 1157 note)—

(i) in subsection (b)(3), by striking "and 2018" and inserting "2018, and 2019"; and

(ii) in subsection (e), by striking "2018" each place it appears and inserting "2019"; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "2018" and inserting "2019".

(6) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) shall remain in effect through September 30, 2019.

(7) ACCOUNTABILITY REVIEW BOARDS.—The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of

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1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2019, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations.

(8) SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION COMPETITIVE STATUS.—Notwithstanding any other provision of law, any employee of the Special Inspector General for Afghanistan Reconstruction (SIGAR) who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

(9) TRANSFER OF BALANCES.—Section 7081(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) shall continue in effect during fiscal year 2019.

(10) DEPARTMENT OF STATE INSPECTOR GENERAL WAIVER AUTHORITY.—The Inspector General of the Department of State may waive the provisions

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of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) on a case-by-case basis for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

(11) EXTENSION OF LOAN GUARANTEES TO ISRAEL.—Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading "Loan Guarantees to Israel"—

(A) in the matter preceding the first proviso, by striking "September 30, 2019" and inserting "September 30, 2023"; and

(B) in the second proviso, by striking "September 30, 2019" and inserting "September 30, 2023".

(n) MONITORING AND EVALUATION.—Funds appropriated by this Act that are available for monitoring and evaluation of assistance under the headings "Development Assistance", "International Disaster Assistance" and "Migration and Refugee Assistance" shall, as appropriate, be made available for the regular collection of feedback

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obtained directly from beneficiaries on the quality and relevance of such assistance: *Provided*, That the Department of State and USAID shall establish procedures for implementing partners that receive funds under such headings for regularly collecting and responding to such feedback, informing the Department of State and USAID of such procedures, and reporting to the Department of State and USAID on actions taken in response to the feedback received: *Provided further*, That the Department of State and USAID shall regularly conduct oversight to ensure that such feedback is regularly collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance.

(o) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–447) may be made available for pharmaceuticals and other products for child survival, malaria, and tuberculosis to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: *Provided*, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 2005 (Public Law 108–447) shall be exer-

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cised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(p) LOANS, CONSULTATION, AND NOTIFICATION.—

(1) LOAN GUARANTEES.—Funds appropriated under the headings "Economic Support Fund" and "Assistance for Europe, Eurasia and Central Asia" by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Egypt, Jordan, Tunisia, and Ukraine, which are authorized to be provided: *Provided*, That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

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(2) DESIGNATION REQUIREMENT.—Funds made available pursuant to paragraph (1) from prior Acts making appropriations for the Department of State, foreign operations, and related programs that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(3) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to the authorities of this subsection shall be subject to prior consultation with the appropriate congressional committees, and subject to the regular notification procedures of the Committees on Appropriations.

(q) LOCAL WORKS.—

(1) Of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", and "Assistance for Europe, Eurasia and Central Asia", not less than $50,000,000 shall be made available for Local Works pursuant to section 7080 of the Department of State, Foreign

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Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), which may remain available until September 30, 2023.

(2) For the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), "eligible entities" shall be defined as small local, international, and United States-based nongovernmental organizations, educational institutions, and other small entities that have received less than a total of $5,000,000 from USAID over the previous 5 fiscal years: *Provided*, That departments or centers of such educational institutions may be considered individually in determining such eligibility.

(r) DEFINITIONS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Unless otherwise defined in this Act, for purposes of this Act the term "appropriate congressional committees" means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

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(2) FUNDS APPROPRIATED BY THIS ACT AND PRIOR ACTS.—Unless otherwise defined in this Act, for purposes of this Act the term "funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs" means funds that remain available for obligation, and have not expired.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—In this Act "international financial institutions" means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the International Fund for Agricultural Development, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) SOUTHERN KORDOFAN REFERENCE.—Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall

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be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

(5) USAID.—In this Act, the term "USAID" means the United States Agency for International Development.

(6) SPEND PLAN.—In this Act, the term "spend plan" means a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of—

(A) realistic and sustainable goals, criteria for measuring progress, and a timeline for achieving such goals;

(B) amounts and sources of funds by account;

(C) how such funds will complement other ongoing or planned programs; and

(D) implementing partners, to the maximum extent practicable.

(7) UNITED STATES AGENCY FOR GLOBAL MEDIA.—References to the "Broadcasting Board of Governors, International Broadcasting Operations" account in any provision of law shall be construed to include the "United States Agency for Global

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Media'' account in Acts making appropriations for the Department of State, foreign operations, and related programs: *Provided*, That references to the ''Broadcasting Board of Governors'' or ''BBG'' in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be construed to include the ''United States Agency for Global Media'' or ''USAGM''.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to

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demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

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(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

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(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act ("Limitation on Assistance for the Palestinian Authority").

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office

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of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: *Provided further*, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any

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other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2019, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been de-

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termined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: *Provided*, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) RECOGNITION OF ACTS OF TERRORISM.—None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for—

(A) the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism; and

(B) any educational institution located in the West Bank or Gaza that is named after an individual who the Secretary of State determines has committed an act of terrorism.

(2) SECURITY ASSISTANCE AND REPORTING REQUIREMENT.—Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made

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available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) OVERSIGHT BY THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act, up to $1,000,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, investigations, and other activities in furtherance of the requirements of this subsection: *Provided*, That such funds are in addition to funds otherwise available for such purposes.

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(e) COMPTROLLER GENERAL OF THE UNITED STATES AUDIT.—Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2019 under the heading "Economic Support Fund", and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) NOTIFICATION PROCEDURES.—Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance

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Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided*, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Pal-

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estinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such

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government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided*, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

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(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(A) sustaining the strategic relationship with the United States; and

(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) ECONOMIC SUPPORT FUND.—

(A) FUNDING.—Of the funds appropriated by this Act under the heading "Economic Support Fund", up to $112,500,000 may be made available for assistance for Egypt, of which not less than $35,000,000 should be made available

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for higher education programs including not less than $10,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education: *Provided*, That such funds shall be made available for democracy programs, and for development programs in the Sinai: *Provided further*, That such funds may not be made available for cash transfer assistance or budget support unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(B) WITHHOLDING.—The Secretary of State shall withhold from obligation funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Egypt, an amount of such funds that the Secretary determines to be equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt until the Secretary certifies and

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reports to the Committees on Appropriations that the Government of Egypt has dismissed the convictions issued by the Cairo Criminal Court on June 4, 2013, in "Public Prosecution Case No. 1110 for the Year 2012", and has not subjected the defendants to further prosecution or if convicted they have been granted full pardons.

(C) LIMITATION.—None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Economic Support Fund" may be made available for a contribution, voluntary or otherwise, to the "Civil Associations and Foundations Support Fund", or any similar fund, established pursuant to Law 70 on Associations and Other Foundations Working in the Field of Civil Work published in the Official Gazette of Egypt on May 29, 2017.

(3) FOREIGN MILITARY FINANCING PROGRAM.—

(A) CERTIFICATION.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", up to

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$1,300,000,000, to remain available until September 30, 2020, may be made available for assistance for Egypt: *Provided*, That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations: *Provided further*, That $300,000,000 of such funds shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt is taking sustained and effective steps to—

(i) advance democracy and human rights in Egypt, including to govern democratically and protect religious minorities and the rights of women, which are in addition to steps taken during the previous calendar year for such purposes;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations, human rights defenders, and the media to function without interference;

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(iii) release political prisoners and provide detainees with due process of law;

(iv) hold Egyptian security forces accountable, including officers credibly alleged to have violated human rights;

(v) investigate and prosecute cases of extrajudicial killings and forced disappearances; and

(vi) provide regular access for United States officials to monitor such assistance in areas where the assistance is used:

Provided further, That the certification requirement of this paragraph shall not apply to funds appropriated by this Act under such heading for counterterrorism, border security, and nonproliferation programs for Egypt.

(B) WAIVER.—The Secretary of State may waive the certification requirement in subparagraph (A) if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of sub-

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paragraph (A) cannot be met, and including an assessment of the compliance of the Government of Egypt with United Nations Security Council Resolution 2270 and other such resolutions regarding North Korea: *Provided*, That the report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(4) OVERSIGHT REQUIREMENT.—The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Egypt.

(5) CONSULTATION REQUIREMENT.—Not later than 90 days after enactment of this Act, the Secretary of State shall consult with the Committees on Appropriations on any plan to restructure military assistance for Egypt.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings "Diplomatic Programs", "Economic Support Fund", and "Nonproliferation, Anti-terrorism, Demining and Related Programs" shall be used by the Secretary of State—

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(A) to support the United States policy to prevent Iran from achieving the capability to produce or otherwise obtain a nuclear weapon;

(B) to support an expeditious response to any violation of United Nations Security Council Resolutions or to efforts that advance Iran's nuclear program;

(C) to support the implementation and enforcement of sanctions against Iran for support of nuclear weapons development, terrorism, human rights abuses, and ballistic missile and weapons proliferation; and

(D) for democracy programs for Iran, to be administered by the Assistant Secretary for Near Eastern Affairs, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) CONTINUATION OF PROHIBITION.—The terms and conditions of section 7041(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2019.

(3) REPORTS.—

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(A) SEMI-ANNUAL REPORT.—The Secretary of State shall submit to the Committees on Appropriations the semi-annual report required by section 135 of the Atomic Energy Act of 1954 (42 U.S.C. 2160e(d)(4)), as added by section 2 of the Iran Nuclear Agreement Review Act of 2015 (Public Law 114–17).

(B) SANCTIONS REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on the status of the implementation and enforcement of bilateral United States and multilateral sanctions against Iran and actions taken by the United States and the international community to enforce such sanctions against Iran: *Provided*, That the report shall also include any entities involved in providing significant support for the development of a ballistic missile by the Government of Iran after October 1, 2015, including shipping and financing, and note whether such entities are currently under United States sanctions: *Provided further*, That such report shall be submitted in

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an unclassified form, but may contain a classified annex if necessary.

(c) IRAQ.—

(1) PURPOSES.—Funds appropriated under titles III and IV of this Act shall be made available for assistance for Iraq for—

(A) bilateral economic assistance and international security assistance, including for the Marla Ruzicka Iraqi War Victims Fund;

(B) stabilization assistance at not less than the amounts specified for such purpose in the table under this subsection in the joint explanatory statement accompanying this Act;

(C) humanitarian assistance, including in the Kurdistan Region of Iraq; and

(D) programs to protect and assist religious and ethnic minority populations in Iraq.

(2) BASING RIGHTS AGREEMENT.—None of the funds appropriated or otherwise made available by this Act may be used by the Government of the United States to enter into a permanent basing rights agreement between the United States and Iraq.

(d) JORDAN.—Of the funds appropriated by this Act under titles III and IV, not less than $1,525,000,000 shall

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be made available for assistance for Jordan, of which: not less than $1,082,400,000 shall be made available under the heading "Economic Support Fund", of which not less than $745,100,000 shall be made available for budget support for the Government of Jordan; and not less than $425,000,000 shall be made available under the heading "Foreign Military Financing Program".

(e) LEBANON.—

(1) LIMITATION.—None of the funds appropriated by this Act may be made available for the Lebanese Internal Security Forces (ISF) or the Lebanese Armed Forces (LAF) if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) CONSULTATION.—Funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" that are available for assistance for Lebanon may be made available for programs and equipment for the ISF and the LAF to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees.

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(3) ECONOMIC SUPPORT FUND.—Funds appropriated by this Act under the heading "Economic Support Fund" that are available for assistance for Lebanon may be made available notwithstanding section 1224 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2346 note).

(4) FOREIGN MILITARY FINANCING PROGRAM.—In addition to the activities described in paragraph (2), funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon's borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: *Provided*, That funds may not be obligated for assistance for the LAF until the Secretary of State submits to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is only used for the intended purposes, except such plan may not be considered as meeting the notification

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requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2019: *Provided further*, That any notification submitted pursuant to such sections shall include any funds specifically intended for lethal military equipment.

(f) LIBYA.—

(1) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization assistance for Libya, including border security: *Provided*, That the limitation on the uses of funds for certain infrastructure projects in section 7041(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) shall apply to such funds.

(2) CERTIFICATION.—Prior to the initial obligation of funds made available by this Act for assistance for Libya, the Secretary of State shall certify and report to the Committees on Appropriations that all practicable steps have been taken to ensure that mechanisms are in place for monitoring, oversight, and control of such funds.

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(3) COOPERATION ON THE SEPTEMBER 2012 ATTACK ON UNITED STATES PERSONNEL AND FACILITIES.—None of the funds appropriated by this Act may be made available for assistance for the central Government of Libya unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: *Provided*, That the limitation in this paragraph shall not apply to funds made available for the purpose of protecting United States Government personnel or facilities.

(g) MOROCCO.—

(1) AVAILABILITY AND CONSULTATION REQUIREMENT.—Funds appropriated under title III of this Act shall be made available for assistance for the Western Sahara: *Provided*, That not later than 90 days after enactment of this Act and prior to the obligation of such funds, the Secretary of State, in consultation with the USAID Administrator, shall consult with the Committees on Appropriations on the proposed uses of such funds.

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(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading "Foreign Military Financing Program" that are available for assistance for Morocco may only be used for the purposes requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2017.

(h) REFUGEE ASSISTANCE IN NORTH AFRICA.—Not later than 45 days after enactment of this Act, the Secretary of State, after consultation with the United Nations High Commissioner for Refugees and the Executive Director of the World Food Programme, shall submit a report to the Committees on Appropriations describing steps taken to strengthen monitoring of the delivery of humanitarian assistance provided for refugees in North Africa, including any steps taken to ensure that all vulnerable refugees are receiving such assistance.

(i) SYRIA.—

(1) NON-LETHAL ASSISTANCE.—Of the funds appropriated by this Act under the headings "Economic Support Fund", "International Narcotics Control and Law Enforcement", and "Peacekeeping Operations", not less than $40,000,000 shall be made available, notwithstanding any other provision of law, for non-lethal stabilization assistance for

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Syria, of which not less than $7,000,000 shall be made available for emergency medical and rescue response and chemical weapons use investigations.

(2) SYRIAN ORGANIZATIONS.—Funds appropriated by this Act that are made available for assistance for Syria shall be made available, on an open and competitive basis, to continue to strengthen the capability of Syrian civil society organizations to address the immediate and long-term needs of the Syrian people in Syria in a manner that supports the sustainability of such organizations in implementing Syrian-led humanitarian and development programs: *Provided*, That funds made available by this paragraph shall be administered by the Bureau for Democracy, Human Rights, and Labor, Department of State.

(3) LIMITATIONS.—Funds made available pursuant to paragraph (1) of this subsection—

(A) may not be made available for a project or activity that supports or otherwise legitimizes the Government of Iran, foreign terrorist organizations (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), or a proxy of Iran in Syria; and

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(B) should not be used in areas of Syria controlled by a government led by Bashar al-Assad or associated forces.

(4) MONITORING AND OVERSIGHT.—Prior to the obligation of funds appropriated by this Act and made available for assistance for Syria, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such assistance inside Syria.

(5) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(j) TUNISIA.—Of the funds appropriated under titles III and IV of this Act, not less than $191,400,000 shall be made available for assistance for Tunisia.

(k) WEST BANK AND GAZA.—

(1) REPORT ON ASSISTANCE.—Prior to the initial obligation of funds made available by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on

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Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

(C) continue support for transparent and accountable government institutions;

(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(2) LIMITATIONS.—

(A)(i) None of the funds appropriated under the heading "Economic Support Fund" in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act—

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court (ICC) judicially authorized investigation, or actively support such an investigation, that subjects

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Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in clause (i) of this subparagraph resulting from the application of subclause (I) of such clause if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees that the Palestinians have not, after the date of enactment of this Act—

(I) obtained in the United Nations or any specialized agency thereof the same standing as member states or full member-

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ship as a state outside an agreement negotiated between Israel and the Palestinians; and

(II) initiated or actively supported an ICC investigation against Israeli nationals for alleged crimes against Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this subparagraph, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: *Provided*, That any waiver of the provisions of section 1003 of Public Law 100–204 under clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this subparagraph shall be effective for no more than a period of 6 months at a time and shall not apply

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beyond 12 months after the enactment of this Act.

(3) REDUCTION.—The Secretary of State shall reduce the amount of assistance made available by this Act under the heading "Economic Support Fund" for the Palestinian Authority by an amount the Secretary determines is equivalent to the amount expended by the Palestinian Authority, the Palestine Liberation Organization, and any successor or affiliated organizations with such entities as payments for acts of terrorism by individuals who are imprisoned after being fairly tried and convicted for acts of terrorism and by individuals who died committing acts of terrorism during the previous calendar year: *Provided*, That the Secretary shall report to the Committees on Appropriations on the amount reduced for fiscal year 2019 prior to the obligation of funds for the Palestinian Authority.

(4) PRIVATE SECTOR PARTNERSHIP PROGRAMS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for private sector partnership programs for the West Bank and Gaza if such funds are authorized: *Provided*, That funds made available

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pursuant to this paragraph shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(5) SECURITY REPORT.—The reporting requirements in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

(6) INCITEMENT REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and coexistence with Israel.

(l) YEMEN.—Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available for stabilization assistance for Yemen.

AFRICA

SEC. 7042. (a) AFRICAN GREAT LAKES REGION ASSISTANCE RESTRICTION.—Funds appropriated by this Act under the heading "International Military Education and Training" for the central government of a country in the

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African Great Lakes region may be made available only for Expanded International Military Education and Training and professional military education until the Secretary of State determines and reports to the Committees on Appropriations that such government is not facilitating or otherwise participating in destabilizing activities in a neighboring country, including aiding and abetting armed groups.

(b) CENTRAL AFRICAN REPUBLIC.—Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(c) COUNTER LORD'S RESISTANCE ARMY.—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) consistent with the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

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(d) LAKE CHAD BASIN COUNTRIES.—Funds appropriated under titles III and IV of this Act shall be made available, following consultation with the Committees on Appropriations, for assistance for Cameroon, Chad, Niger, and Nigeria for—

(1) democracy, development, and health programs;

(2) assistance for individuals targeted by foreign terrorist and other extremist organizations, including Boko Haram, consistent with the provisions of section 7059 of this Act;

(3) assistance for individuals displaced by violent conflict; and

(4) counterterrorism programs.

(e) MALAWI.—Of the funds appropriated by this Act under the heading "Development Assistance", not less than $56,000,000 shall be made available for assistance for Malawi, of which up to $10,000,000 shall be made available for higher education programs.

(f) SOUTH SUDAN.—Funds appropriated by this Act that are made available for assistance for the central Government of South Sudan may only be made available, following consultation with the Committees on Appropriations, for—

(1) humanitarian assistance;

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(2) health programs, including to prevent, detect, and respond to the Ebola virus disease;

(3) assistance to support South Sudan peace negotiations or to advance or implement a peace agreement; and

(4) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement and mutual arrangements related to such agreement:

Provided, That of the funds appropriated by this Act for assistance for South Sudan, not less than $7,000,000 shall be made available for conflict mitigation and reconciliation programs: *Provided further*, That prior to the initial obligation of funds made available pursuant to paragraphs (3) and (4), the Secretary of State shall consult with the Committees on Appropriations on the intended uses of such funds and steps taken by such government to advance or implement a peace agreement.

(g) SUDAN.—

(1) LIMITATIONS.—

(A) ASSISTANCE.—Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

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(B) LOANS.—None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(2) EXCLUSIONS.—The limitations of paragraph (1) shall not apply to—

(A) humanitarian assistance;

(B) assistance for democracy programs;

(C) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other internationally recognized viable peace agreement in Sudan.

(h) ZIMBABWE.—

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(1) INSTRUCTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.

(2) LIMITATION.—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1), and funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) BURMA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—

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(A) ECONOMIC SUPPORT FUND.—Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Burma may be made available notwithstanding any other provision of law, except for this subsection, and following consultation with the appropriate congressional committees.

(B) USES.—Funds appropriated under title III of this Act for assistance for Burma—

(i) shall be made available to strengthen civil society organizations in Burma and for programs to strengthen independent media;

(ii) shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading "Migration and Refugee Assistance";

(iii) shall be made available for programs to promote ethnic and religious tolerance and to combat gender-based vio-

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lence, including in Rakhine, Shan, Kachin, and Karen states;

(iv) shall be made available to promote rural economic development in Burma, including through microfinance programs;

(v) shall be made available to increase opportunities for foreign direct investment by strengthening the rule of law, transparency, and accountability;

(vi) shall be made available for programs to investigate and document allegations of ethnic cleansing and other gross violations of human rights committed against the Rohingya people in Rakhine state: *Provided*, That such sums shall be in addition to funds otherwise made available for such purposes;

(vii) shall be made available for programs to investigate and document allegations of gross violations of human rights committed in Burma, particularly in areas of conflict; and

(viii) may be made available for ethnic groups and civil society in Burma to help

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sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose.

(C) LIMITATIONS.—Funds appropriated under title III of this Act for assistance for Burma—

(i) may not be made available to any individual or organization if the Secretary of State has credible information that such individual or organization has committed a gross violation of human rights, including against Rohingya and other minority groups, or that advocates violence against ethnic or religious groups or individuals in Burma;

(ii) may not be made available to any organization or entity controlled by the armed forces of Burma;

(iii) may only be made available for programs to support the return of Rohingya, Karen, and other refugees and internally displaced persons to their locations of origin or preference in Burma if

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such returns are voluntary and consistent with international law; and

(iv) may only be made available for assistance for the Government of Burma to support the implementation of Nationwide Ceasefire Agreement conferences, committees, and other procedures if the Secretary of State reports to the Committees on Appropriations that such procedures are directed toward a sustainable peace and the Government of Burma is implementing its commitments under such Agreement.

(2) INTERNATIONAL SECURITY ASSISTANCE.—None of the funds appropriated by this Act under the headings "International Military Education and Training" and "Foreign Military Financing Program" may be made available for assistance for Burma: *Provided*, That the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(3) PROGRAMS AND RESPONSIBILITIES.—

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(A) Any new program or activity in Burma initiated in fiscal year 2019 shall be subject to prior consultation with the appropriate congressional committees.

(B) The United States Chief of Mission in Burma, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall be responsible for democracy and human rights programs in Burma.

(b) CAMBODIA.—

(1) ASSISTANCE.—

(A) None of the funds appropriated by this Act that are made available for assistance for the Government of Cambodia, except for health programs, may be obligated or expended unless the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective steps to—

(i) strengthen regional security and stability, particularly regarding territorial disputes in the South China Sea and the enforcement of international sanctions with respect to North Korea; and

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(ii) respect the rights and responsibilities enshrined in the Constitution of the Kingdom of Cambodia as enacted in 1993, including through the—

(I) restoration of the civil and political rights of the opposition Cambodia National Rescue Party, media, and civil society organizations;

(II) restoration of all elected officials to elected offices held prior to the July 2018 parliamentary elections; and

(III) release of all political prisoners, including journalists, civil society activists, and members of the opposition political party.

(B) Funds appropriated under title III of this Act for assistance for Cambodia shall be made available for—

(i) democracy programs, including research and education programs associated with the Khmer Rouge in Cambodia, except that no funds for such purposes may be made available to the Extraordinary Chambers in the Court of Cambodia; and

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(ii) programs in the Khmer language to counter the influence of the People's Republic of China in Cambodia.

(2) VISA RESTRICTION.—Funds appropriated under title I of this Act shall be made available to continue to implement the policy announced by the Department of State on December 6, 2017, to restrict the issuance of visas to enter the United States to individuals involved in undermining democracy in Cambodia, including the family members of such individuals, as appropriate: *Provided*, That not later than 30 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees describing the implementation of such policy.

(c) INDO-PACIFIC STRATEGY.—Of the funds appropriated by this Act, not less than $160,000,000 shall be made available to support the implementation of the Indo-Pacific Strategy: *Provided*, That such funds are in addition to amounts otherwise made available for such purposes.

(d) NORTH KOREA.—

(1) CYBERSECURITY.—None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign oper-

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ations, and related programs may be made available for assistance for the central government of a country the Secretary of State determines and reports to the appropriate congressional committees engages in significant transactions contributing materially to the malicious cyber-intrusion capabilities of the Government of North Korea: *Provided*, That the Secretary of State shall submit the report required by section 209 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122; 22 U.S.C. 9229), as amended, to the Committees on Appropriations in the manner described in subparagraph (2)(A) of such section: *Provided further*, That the Secretary of State may waive the application of the restriction in this paragraph with respect to assistance for the central government of a country if the Secretary determines and reports to the appropriate congressional committees that to do so is important to the national security interest of the United States, including a description of such interest served.

(2) BROADCASTS.—Funds appropriated by this Act under the heading "International Broadcasting Operations" shall be made available to maintain

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broadcasting hours into North Korea at levels not less than the prior fiscal year.

(3) REFUGEES.—Funds appropriated by this Act under the heading "Migration and Refugee Assistance" should be made available for assistance for refugees from North Korea, including protection activities in the People's Republic of China and other countries in Asia.

(4) HUMAN RIGHTS PROMOTION, DATABASE, AND LIMITATION ON USE OF FUNDS.—

(A) HUMAN RIGHTS PROMOTION.—Funds appropriated by this Act under the headings "Economic Support Fund" and "Democracy Fund" shall be made available for the promotion of human rights in North Korea: *Provided*, That the authority of section 7032(b) of this Act shall apply to such funds.

(B) DATABASE.—Funds appropriated by this Act under title III shall be made available to maintain a database of prisons and gulags in North Korea, in accordance with section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

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(C) LIMITATION.—None of the funds made available by this Act under the heading "Economic Support Fund" may be made available for assistance for the Government of North Korea.

(e) PEOPLE'S REPUBLIC OF CHINA.—

(1) LIMITATION ON USE OF FUNDS.—None of the funds appropriated under the heading "Diplomatic Programs" in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China (PRC) unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) PEOPLE'S LIBERATION ARMY.—The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the PRC, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: *Provided*, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with

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the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) AUTHORITY AND NOTIFICATION REQUIREMENT.—

(A) AUTHORITY.—The uses of funds made available by this Act for the promotion of democracy in the PRC, except for funds made available under subsection (g), shall be the responsibility of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(B) NOTIFICATION.—Funds appropriated by this Act that are made available for trilateral programs conducted with the PRC shall be subject to the regular notification procedures of the Committees on Appropriations.

(f) PHILIPPINES.—None of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction.

(g) TIBET.—

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(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—

(A) TIBET AUTONOMOUS REGION.—Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $8,000,000 shall be made available to non-governmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibet Autonomous Region and in other Tibetan communities in China.

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(B) INDIA AND NEPAL.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $6,000,000 shall be made available for programs to promote and preserve Tibetan culture, development, and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: *Provided*, That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.

(C) TIBETAN GOVERNANCE.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $3,000,000 shall be made available for programs to strengthen the capacity of Tibetan institutions and governance.

(h) VIETNAM.—

(1) DIOXIN REMEDIATION.—Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $20,000,000 shall be made available for activities related to the remediation of dioxin contaminated sites in Vietnam and may be

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made available for assistance for the Government of Vietnam, including the military, for such purposes.

(2) HEALTH AND DISABILITY PROGRAMS.—Of the funds appropriated by this Act under the heading "Development Assistance", not less than $12,500,000 shall be made available for health and disability programs in areas sprayed with Agent Orange and otherwise contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment or cognitive or developmental disabilities.

(3) RECONCILIATION PROGRAMS.—Funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for Vietnam shall be made available for reconciliation programs to address war legacy issues.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" that are made available for assistance for Afghanistan—

(A) shall be made available to implement the South Asia Strategy, the Revised Strategy

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for United States Engagement in Afghanistan, and the United States Agency for International Development Country Development Cooperation Strategy for Afghanistan;

(B) shall be made available for programs in support of such strategies that protect and strengthen the rights of women and girls and promote the political and economic empowerment of women, including their meaningful inclusion in political processes: *Provided*, That such assistance to promote the economic empowerment of women shall be made available as grants to Afghan organizations, to the maximum extent practicable; and

(C) may not be made available for any program, project, or activity that—

(i) cannot be sustained, as appropriate, by the Government of Afghanistan or another Afghan entity;

(ii) is not accessible for the purposes of conducting effective oversight in accordance with applicable Federal statutes and regulations;

(iii) initiates any new, major infrastructure development; or

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(iv) includes the participation of any Afghan individual, organization, or government entity if the Secretary of State has credible information that such individual, organization, or entity is knowingly involved in acts of grand corruption, illicit narcotics production or trafficking, or has committed a gross violation of human rights.

(2) AUTHORITIES.—

(A) Funds appropriated by this Act under title III through VI that are made available for assistance for Afghanistan may be made available—

(i) notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961;

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against the Government of Afghanistan, including in accordance with section 7046(a)(2)(B)(ii) of the Department of

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State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74); and

(iii) for an endowment to empower women and girls.

(B) Section 7046(a)(2)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall apply to funds appropriated by this Act for assistance for Afghanistan.

(3) BASING RIGHTS AGREEMENT.—None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(b) NEPAL.—

(1) ASSISTANCE.—Of the funds appropriated under titles III and IV of this Act, not less than $124,580,000 shall be made available for assistance for Nepal, including for earthquake recovery and reconstruction programs.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading "Foreign Military Financing Program"

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shall only be made available for humanitarian and disaster relief and reconstruction activities in Nepal, and in support of international peacekeeping operations: *Provided*, That such funds may only be made available for any additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal Army is cooperating fully with civilian judicial authorities in such cases.

(c) PAKISTAN.—

(1) INTERNATIONAL SECURITY ASSISTANCE.—

(A) LIMITATION.—Funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) CONSULTATION.—Not later than 30 days after enactment of this Act, and prior to the submission of the report required by section 653(a) of the Foreign Assistance Act of 1961, the Secretary of State shall consult with the Committees on Appropriations on the amount

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of funds appropriated by this Act under the heading "Foreign Military Financing Program" that is anticipated to be subject to the January 2018 policy decision of the United States to suspend security assistance for Pakistan, or any subsequent policy decision affecting such assistance: *Provided*, That the Secretary shall promptly inform the appropriate congressional committees in writing of any changes to such policy, the justification for such changes, and the progress made by the Government of Pakistan in meeting the counterterrorism objectives described under this section in Senate Report 115–282.

(C) REPROGRAMMING.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Foreign Military Financing Program" for assistance for Pakistan that are withheld from obligation or expenditure by the Department of State may be reprogrammed by the Secretary of State, except that no such funds may be reprogrammed that are required to complete payment on existing and previously

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approved contracts: *Provided*, That such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations.

(2) BILATERAL ECONOMIC ASSISTANCE REPORT.—Prior to the obligation of funds made available by this Act under the heading "Economic Support Fund" for assistance for the central Government of Pakistan, the Secretary of State shall submit a report to the appropriate congressional committees detailing—

(A) the amount of financing and other support, if any, provided by the Government of Pakistan to schools supported by, affiliated with, or run by the Taliban or any domestic or foreign terrorist organization in Pakistan;

(B) the extent of cooperation by such government in issuing visas in a timely manner for United States visitors, including officials and representatives of nongovernmental organizations, engaged in assistance and security programs in Pakistan;

(C) the extent to which such government is providing humanitarian organizations access to detainees, internally displaced persons, and

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other Pakistani civilians affected by conflict in Pakistan and the region; and

(D) the extent to which such government is strengthening democracy in Pakistan, including protecting freedom of expression, assembly, and religion.

(3) AUTHORITY AND USES OF FUNDS.—

(A) Funds appropriated by this Act for assistance for Pakistan may be made available notwithstanding any other provision of law, except for section 620M of the Foreign Assistance Act of 1961.

(B) Funds appropriated by this Act for assistance for Pakistan that are made available for infrastructure projects shall be implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(C) The authorities and directives of section 7044(d)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) regarding scholarships for women shall apply to funds appropriated by this Act for assistance for Pakistan, following

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consultation with the Committees on Appropriations.

(D) Funds appropriated by this Act under the headings "Economic Support Fund" and "Nonproliferation, Anti-terrorism, Demining and Related Programs" that are made available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture improvised explosive devices and for agriculture extension programs that encourage alternative fertilizer use among Pakistani farmers to decrease the dual use of fertilizer in the manufacturing of improvised explosive devices.

(E) Of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" that are made available for assistance for Pakistan, not less than $15,000,000 shall be made available for border security programs in Pakistan, following consultation with the Committees on Appropriations.

(F) Funds appropriated by title III of this Act shall be made available for programs to promote democracy in Pakistan.

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(4) WITHHOLDING.—Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Pakistan, $33,000,000 shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations that Dr. Shakil Afridi has been released from prison and cleared of all charges relating to the assistance provided to the United States in locating Osama bin Laden.

(5) OVERSIGHT.—The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Pakistan: *Provided*, That the Secretary shall inform the Committees on Appropriations of such steps in a timely manner.

(d) SRI LANKA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for assistance for Sri Lanka for economic development and democracy programs, particularly in areas recovering from ethnic and religious conflict: *Provided*, That such funds shall be made available for programs to assist in the identification and resolution of cases of missing persons.

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(2) CERTIFICATION.—Funds appropriated by this Act for assistance for the central Government of Sri Lanka, except for funds made available for humanitarian assistance and victims of trauma, may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Sri Lanka is—

(A) repealing laws that do not comply with international standards for arrest and detention by security forces, and ensuring that any successor legislation meets such standards;

(B) increasing accountability and transparency in governance;

(C) investigating allegations of arbitrary arrest and torture, and supporting a credible justice mechanism in compliance with United Nations Human Rights Council Resolution (A/HCR/RES/30/1) of October 2015;

(D) returning military occupied lands in former conflict zones to their rightful owners or compensating those whose land was confiscated without due process, and which is in addition to steps taken during the previous calendar year;

(E) establishing a functioning office of missing persons and assisting its investigations

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of cases of missing persons from Sri Lanka's internal armed conflicts with the cooperation of the armed forces of Sri Lanka; and

(F) substantially reducing the presence of the armed forces in former conflict zones and implementing a plan for restructuring the armed forces to adopt a peacetime role that contributes to post-conflict reconciliation and regional security.

(3) INTERNATIONAL SECURITY ASSISTANCE.—Funds appropriated under title IV of this Act that are available for assistance for Sri Lanka shall be subject to the following conditions—

(A) not to exceed $500,000 under the heading "Foreign Military Financing Program" may only be made available for programs to support humanitarian and disaster response preparedness and maritime security, including professionalization and training for the navy and coast guard; and

(B) funds under the heading "Peacekeeping Operations" may only be made available for training and equipment related to international peacekeeping operations and improvements to peacekeeping-related facilities,

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and only if the Government of Sri Lanka is taking effective steps to bring to justice Sri Lankan peacekeeping troops who have engaged in sexual exploitation and abuse.

(e) REGIONAL PROGRAMS.—

(1) CROSS BORDER PROGRAMS.—Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

(2) SECURITY AND JUSTICE PROGRAMS.—Funds appropriated by this Act that are made available for assistance for countries in South and Central Asia shall be made available to accelerate the recruitment and enhance the retention and professionalism of women in the judiciary, police, and other security forces.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) CONDITIONS ON ASSISTANCE FOR THE CENTRAL GOVERNMENTS OF EL SALVADOR, GUATEMALA,

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AND HONDURAS.—Of the funds appropriated by this Act under titles III and IV that are made available for assistance for each of the central governments of El Salvador, Guatemala, and Honduras, 50 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is—

(A) informing its citizens of the dangers of the journey to the southwest border of the United States;

(B) combating human smuggling and trafficking;

(C) improving border security, including preventing illegal migration, human smuggling and trafficking, and trafficking of illicit drugs and other contraband;

(D) cooperating with United States Government agencies and other governments in the region to facilitate the return, repatriation, and reintegration of illegal migrants arriving at the southwest border of the United States who do not qualify for asylum, consistent with international law;

(E) working cooperatively with an autonomous, publicly accountable entity to provide

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oversight of the Plan of the Alliance for Prosperity in the Northern Triangle in Central America (the Plan);

(F) combating corruption, including investigating and prosecuting current and former government officials credibly alleged to be corrupt;

(G) implementing reforms, policies, and programs to increase transparency and strengthen public institutions and the rule of law;

(H) working with local communities, civil society organizations (including indigenous and other marginalized groups), and local governments in the implementation and evaluation of activities of the Plan;

(I) countering the activities of criminal gangs, drug traffickers, and transnational criminal organizations;

(J) investigating and prosecuting in the civilian justice system government personnel who are credibly alleged to have violated human rights;

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(K) cooperating with commissions against corruption and impunity and with regional human rights entities;

(L) supporting programs to reduce poverty, expand education and vocational training for at-risk youth, create jobs, and promote equitable economic growth, particularly in areas contributing to large numbers of migrants;

(M) creating a professional, accountable civilian police force and ending the role of the military in internal policing;

(N) protecting the right of political opposition parties and other members of civil society to operate without interference;

(O) implementing tax reforms; and

(P) resolving commercial disputes.

(2) DETERMINATIONS AND IMPACT ON ASSISTANCE.—

(A) INSUFFICIENT PROGRESS.—The Secretary of State shall periodically review the progress of each of the central governments of El Salvador, Guatemala, and Honduras in meeting the requirements of paragraph (1): *Provided*, That if the Secretary determines and reports to the appropriate congressional com-

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mittees that sufficient progress has not been made by such government in meeting such requirements, the Secretary shall suspend, in whole or in part, assistance for such government for programs supporting such requirement, and shall notify the appropriate congressional committees in writing of such action: *Provided further*, That the Secretary may resume such assistance if the Secretary determines and reports to such committees that corrective measures have been taken by such government.

(B) CHANGE IN NATIONAL GOVERNMENT.—Not later than 90 days following a change of national government in El Salvador, Guatemala, or Honduras, the Secretary of State shall determine whether or not such government is meeting the requirements of paragraph (1) and submit a report to the appropriate congressional committees detailing the reasons for such determination: *Provided*, That if the Secretary determines that such government is not meeting such requirements, then the Secretary shall suspend, in whole or in part, assistance for such

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country until such time as such determination and report can be made.

(C) REPROGRAMMING.—Assistance suspended pursuant to subparagraphs (A) or (B) may be reprogrammed if the Secretary of State determines that corrective measures have not been taken: *Provided*, That any such reprogramming shall only be made available for assistance for other countries in Latin America and the Caribbean and shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) CONSULTATION.—The Secretary of State shall consult with the Committees on Appropriations not less than 14 days prior to submitting any certification made pursuant to subsection (a)(1) and any suspension or reprogramming made pursuant to subsection (a)(2).

(4) EXCEPTIONS AND LIMITATIONS.—

(A) EXCEPTIONS.—The limitation of paragraph (1) shall not apply to funds appropriated by this Act that are made available for the International Commission against Impunity in Guatemala, the Mission to Support the Fight against Corruption and Impunity in Honduras,

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humanitarian assistance, and food security programs.

(B) LIMITATIONS.—None of the funds appropriated by this Act that are made available for assistance for countries in Central America may be made available for direct government-to-government assistance or for major infrastructure projects.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $418,253,000 shall be made available for assistance for Colombia, including to support the efforts of the Government of Colombia to—

(A) conduct a unified campaign against narcotics trafficking, organizations designated as foreign terrorist organizations pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), and other criminal or illegal armed groups: *Provided*, That aircraft supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used to transport personnel and supplies involved in drug eradication

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and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities;

(B) enhance security and stability in Colombia and the region;

(C) strengthen and expand governance, the rule of law, and access to justice throughout Colombia;

(D) promote economic and social development, including by improving access to areas impacted by conflict through demining programs;

(E) assist communities impacted by significant refugee or migrant populations; and

(F) implement a peace agreement between the Government of Colombia and illegal armed groups, in accordance with constitutional and legal requirements in Colombia.

(2) LIMITATION.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Colombia may be made available for payment of reparations to conflict victims or

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compensation to demobilized combatants associated with a peace agreement between the Government of Colombia and illegal armed groups.

(3) COUNTERNARCOTICS.—Of the funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" and made available for counternarcotics assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Colombia has reduced overall illicit drug cultivation, production, and trafficking.

(4) HUMAN RIGHTS.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program" and made available for assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and reports to the Committees on Appropriations that—

(A) the Special Jurisdiction for Peace and other judicial authorities are taking effective steps to hold accountable perpetrators of gross violations of human rights in a manner consistent with international law, including for

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command responsibility, and sentence them to deprivation of liberty;

(B) the Government of Colombia is taking effective steps to reduce attacks against human rights defenders and other civil society activists, trade unionists, and journalists, and judicial authorities are prosecuting those responsible for such attacks; and

(C) senior military officers responsible for ordering, committing, and covering up cases of false positives are being held accountable, including removal from active duty if found guilty through criminal or disciplinary proceedings.

(5) EXCEPTIONS.—The limitations of paragraphs (3) and (4) shall not apply to funds made available for aviation instruction and maintenance, and maritime and riverine security programs.

(c) HAITI.—

(1) CERTIFICATION.—Funds appropriated by this Act under the headings "Development Assistance" and "Economic Support Fund" that are made available for assistance for Haiti may not be made available for assistance for the central Government of Haiti unless the Secretary of State certifies and reports to the Committees on Appropriations that

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such government is taking effective steps, which are steps taken since the certification and report submitted during the prior year, if applicable, to—

(A) strengthen the rule of law in Haiti, including by—

(i) selecting judges in a transparent manner based on merit;

(ii) reducing pre-trial detention;

(iii) respecting the independence of the judiciary; and

(iv) improving governance by implementing reforms to increase transparency and accountability, including through the penal and criminal codes;

(B) combat corruption, including by implementing the anti-corruption law enacted in 2014 and prosecuting corrupt officials;

(C) increase government revenues, including by implementing tax reforms, and increasing expenditures on public services; and

(D) resolve commercial disputes between United States entities and the Government of Haiti.

(2) HAITIAN COAST GUARD.—The Government of Haiti shall be eligible to purchase defense articles

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and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(d) VENEZUELA.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $17,500,000 shall be made available for programs to promote democracy and the rule of law in Venezuela.

EUROPE AND EURASIA

SEC. 7046. (a) ASSISTANCE.—

(1) GEORGIA.—Of the funds appropriated by this Act under titles III and IV, not less than $127,025,000 shall be made available for assistance for Georgia.

(2) UKRAINE.—Of the funds appropriated by this Act under titles III and IV, not less than $445,700,000 shall be made available for assistance for Ukraine.

(b) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if such government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That except as otherwise provided in section

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7047(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: *Provided further*, That prior to executing the authority contained in the previous proviso, the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—Section 907 of the FREEDOM Support Act (22 U.S.C. 5812 note) shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act (22 U.S.C. 5851 et seq.) and section 1424 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private

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Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945 (Public Law 79–173); or

(6) humanitarian assistance.

(d) TURKEY.—

(1) TURKISH PRESIDENTIAL PROTECTION DIRECTORATE.—None of the funds made available by this Act may be used to facilitate or support the sale of defense articles or defense services to the Turkish Presidential Protection Directorate (TPPD) under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.), unless the Secretary of State determines and reports to the appropriate congressional committees that members of the TPPD that are named in the July 17, 2017 indictment by the Superior Court of the District of Columbia, and against whom charges are pending, have returned to the United States to stand trial in connection with the offenses contained in such indictment or have otherwise been brought to justice: *Provided*, That the limitation in this paragraph shall not apply to the use of funds made available by this Act for border security purposes, for North Atlantic Treaty Or-

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ganization or coalition operations, or to enhance the protection of United States officials and facilities in Turkey.

(2) RESTRICTION ON FUNDS.—

(A) Not later than November 1, 2019, but no sooner than six months after enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit an update to the report required by section 1282 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) regarding the purchase by the Republic of Turkey of the S–400 missile defense system from the Russian Federation: *Provided*, That such report shall also include a detailed description of plans for the imposition of sanctions, if appropriate, for such purchase pursuant to section 231 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44).

(B) None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to deliver F–35 aircraft to the territory of the Re-

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public of Turkey until the report in subparagraph (A) is submitted to the Congress.

COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

SEC. 7047. (a) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) ANNEXATION OF CRIMEA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea or other territory in Ukraine: *Provided*, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the

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Russian Federation over Crimea or other territory in Ukraine;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such activity includes the participation of Russian Government officials, or other Russian owned or controlled financial entities; or

(C) assistance for Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine

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has reestablished sovereignty over Crimea and other territory in Ukraine under the control of Russian-backed separatists.

(c) OCCUPATION OF THE GEORGIAN TERRITORIES OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia: *Provided*, That the Secretary shall publish on the Department of State website a list of any such central governments in a timely manner: *Provided further*, That the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available to support the Russian occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

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(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(d) COUNTERING RUSSIAN INFLUENCE FUND.—

(1) Of the funds appropriated by this Act under the headings "Assistance for Europe, Eurasia and Central Asia", "International Narcotics Control and Law Enforcement", "International Military Education and Training", and "Foreign Military Financing Program", not less than $275,000,000 shall be made available to carry out the purposes of the Countering Russian Influence Fund, as authorized by section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 22 U.S.C. 9543) and notwithstanding the country limitation in subsection (b) of such section, and programs to enhance the capacity of law enforcement and security forces in countries in Europe and Eurasia and strengthen security cooperation between such countries and the United States and the North Atlantic Treaty Organization, as appropriate.

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(2) Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation, including to promote Internet freedom, and shall also be made available to support the democracy and rule of law strategy required by section 7071(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) RESTRICTIONS.—Of the funds appropriated under title I and under the heading "International Organizations and Programs" in title V of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not

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be obligated for such organization, department, or agency until the Secretary of State determines and reports to the Committees on Appropriations that the organization, department, or agency is—

(A) posting on a publicly available website, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency, and providing the United States Government with necessary access to such financial and performance audits;

(B) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to independent adjudicative bodies, including external arbitration; and

(v) results that eliminate the effects of proven retaliation; and

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(C) effectively implementing and enforcing policies and procedures on the appropriate use of travel funds, including restrictions on first class and business class travel.

(2) WAIVER.—The restrictions imposed by or pursuant to paragraph (1) may be waived on a case-by-case basis if the Secretary of State determines and reports to the Committees on Appropriations that such waiver is necessary to avert or respond to a humanitarian crisis.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) RESTRICTIONS ON UNITED STATES DELEGATIONS.—None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

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(2) RESTRICTIONS ON CONTRIBUTIONS.—None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) WAIVER.—The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, including a description of the national interest served.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—None of the funds appropriated by this Act may be made available in support of the United Nations Human Rights Council unless the Secretary of State determines and reports to the Committees on Appropriations that participa-

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tion in the Council is important to the national interest of the United States and that such Council is taking significant steps to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: *Provided*, That such report shall include a description of the national interest served and the steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: *Provided further*, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2019, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—Prior to the initial obligation of funds for the United Nations Relief and Works Agency (UNRWA), the Secretary of State shall report to the Committees on Appropriations, in writing, on whether UNRWA is—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

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(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the Department of State on actions it has taken to ensure conformance with such conditions;

(5) taking steps to ensure the content of all educational materials currently taught in UNRWA-administered schools and summer camps is consistent with the values of human rights, dignity, and tolerance and does not induce incitement;

(6) not engaging in operations with financial institutions or related entities in violation of relevant

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United States law, and is taking steps to improve the financial transparency of the organization; and

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(e) PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

(f) CAPITAL PROJECTS.—Any operating plan submitted pursuant to this Act for funds made available under the heading "Contributions to International Organizations" shall include information on capital projects, as described under such heading in House Report 115–253.

(g) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the

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amount of funds available for obligation or expenditure in fiscal year 2019 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: *Provided*, That the Secretary shall update such report each time additional funds are withheld by operation of any provision of law: *Provided further*, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(h) SEXUAL EXPLOITATION AND ABUSE IN PEACEKEEPING OPERATIONS.—

(1) IN GENERAL.—Funds appropriated by this Act shall be made available to implement section 301 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323).

(2) WITHHOLDING OF FUNDS.—The Secretary of State should withhold assistance to any unit of the security forces of a foreign country if the Secretary has credible information that such unit has engaged in sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation, until the Secretary determines that the gov-

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ernment of such country is taking effective steps to hold the responsible members of such unit accountable and to prevent future incidents: *Provided*, That the Secretary shall promptly notify the government of each country subject to any withholding of assistance pursuant to this paragraph, and shall notify the appropriate congressional committees of such withholding not later than 10 days after a determination to withhold such assistance is made: *Provided further*, That the Secretary shall, to the maximum extent practicable, assist such government in bringing the responsible members of such unit to justice.

(i) ADDITIONAL AVAILABILITY.—Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated by this Act which are returned or not made available due to the implementation of subsection (a), the second proviso under the heading "Contributions for International Peacekeeping Activities" in title I of this Act, or section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)), shall remain available for obligation until September 30, 2020: *Provided*, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign As-

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sistance Act of 1961 shall not apply to funds appropriated by this Act.

(j) NATIONAL SECURITY INTEREST WITHHOLDING.—

(1) WITHHOLDING.—The Secretary of State shall withhold 5 percent of the funds appropriated by this Act under the heading "Contributions to International Organizations" for a specialized agency or other entity of the United Nations if the Secretary, in consultation with the United States Ambassador to the United Nations, determines and reports to the Committees on Appropriations that such agency or entity has taken an official action that is against the national security interest of the United States or an ally of the United States, including Israel.

(2) RELEASE OF FUNDS.—The Secretary of State, in consultation with the United States Ambassador to the United Nations, may release funds withheld pursuant to paragraph (1) if the Secretary determines and reports to the Committees on Appropriations that such agency or entity is taking steps to address the action that resulted in the withholding of such funds.

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(3) REPROGRAMMING.—Should the Secretary of State be unable to make a determination pursuant to paragraph (2) regarding the release of withheld funds, such funds may be reprogrammed for other purposes under the heading "Contributions to International Organizations".

(4) WAIVER.—The Secretary of State, following consultation with the Committees on Appropriations, may waive the requirements of this subsection if the Secretary determines that to do so in the national interest.

(k) TRANSFER OF FUNDS.—Of the funds appropriated by this Act under the heading "Economic Support Fund", $25,000,000 shall be transferred to, and merged with, funds appropriated under the heading "International Organizations and Programs", of which $23,000,000 shall be for a contribution to support the United Nations resident coordinator system and $2,000,000 shall be for a contribution to the Montreal Protocol Multilateral Fund.

LAW ENFORCEMENT AND SECURITY

SEC. 7049. (a) ASSISTANCE.—

(1) COMMUNITY-BASED POLICE ASSISTANCE.—Funds made available under titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign As-

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sistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(2) COMBAT CASUALTY CARE.—

(A) Consistent with the objectives of the Foreign Assistance Act of 1961 and the Arms Export Control Act, funds appropriated by this Act under the headings "Peacekeeping Operations" and "Foreign Military Financing Program" shall be made available for combat casualty training and equipment.

(B) The Secretary of State shall offer combat casualty care training and equipment as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings "Peacekeeping Operations" and "Foreign Military Financing Program":

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Provided, That the requirement of this subparagraph shall apply to a country in conflict, unless the Secretary determines that such country has in place, to the maximum extent practicable, functioning combat casualty care treatment and equipment that meets or exceeds the standards recommended by the Committee on Tactical Combat Casualty Care: *Provided further*, That any such training and equipment for combat casualty care shall be made available through an open and transparent process.

(3) COUNTERTERRORISM PARTNERSHIPS FUND.—Funds appropriated by this Act under the heading Nonproliferation, Anti-terrorism, Demining and Related Programs shall be made available for the Counterterrorism Partnerships Fund for programs in areas liberated from, under the influence of, or adversely affected by, the Islamic State of Iraq and Syria or other terrorist organizations: *Provided*, That such areas shall include the Kurdistan Region of Iraq: *Provided further*, That prior to the obligation of funds made available pursuant to this paragraph, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such funds:

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Provided further, That funds made available pursuant to this paragraph shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(4) TRAINING RELATED TO INTERNATIONAL HUMANITARIAN LAW.—The Secretary of State shall offer training related to the requirements of international humanitarian law as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings "Peacekeeping Operations" and "Foreign Military Financing Program": *Provided*, That the requirement of this paragraph shall not apply to a country that is a member of the North Atlantic Treaty Organization (NATO), is a major non-NATO ally designated by section 517(b) of the Foreign Assistance Act of 1961, or is complying with international humanitarian law: *Provided further*, That any such training shall be made available through an open and transparent process.

(5) SECURITY FORCE PROFESSIONALIZATION.—Funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Peacekeeping Operations" shall be

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made available to increase the capacity of foreign military and law enforcement personnel to operate in accordance with appropriate standards relating to human rights and the protection of civilians in the manner specified under this section in the joint explanatory statement accompanying this Act, following consultation with the Committees on Appropriations: *Provided*, That funds made available pursuant to this paragraph shall only be made available on an open and competitive basis.

(b) AUTHORITIES.—

(1) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(2) DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2019.

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(3) INTERNATIONAL PRISON CONDITIONS.—Of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement", not less than $5,000,000 shall be made available for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities, notwithstanding section 660 of the Foreign Assistance Act of 1961: *Provided*, That the Secretary of State and the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of such funds prior to obligation and not later than 120 days after enactment of this Act: *Provided further*, That such funds shall be in addition to funds otherwise made available by this Act for such purpose.

(4) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(A) Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking "of this section" and all that follows through the period at the end and inserting "of this section after September 30, 2020.".

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(B) Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking "and 2019" and inserting "2019, and 2020".

(5) COMMERCIAL LEASING OF DEFENSE ARTICLES.—Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt, the North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

(6) SPECIAL DEFENSE ACQUISITION FUND.—Not to exceed $900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisi-

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tion Fund (the Fund), to remain available for obligation until September 30, 2021: *Provided*, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

(7) PUBLIC DISCLOSURE.—For the purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for units of foreign security forces, the term "to the maximum extent practicable" in section 620M(d)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) means that the identity of such units shall be made publicly available unless the Secretary of State, on a case-by-case basis, determines and reports to the appropriate congressional committees that disclosure would endanger the safety of human sources or reveal sensitive intelligence sources and methods, or that non-disclosure is in the national security interest of the United States: *Provided*, That any such determination shall include a detailed justification, and may be submitted in classified form.

(c) LIMITATIONS.—

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(1) CHILD SOLDIERS.—Funds appropriated by this Act should not be used to support any military training or operations that include child soldiers.

(2) LANDMINES AND CLUSTER MUNITIONS.—

(A) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(B) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(i) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applica-

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ble to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(ii) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

(3) CROWD CONTROL ITEMS.—Funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other items for crowd control purposes for foreign security forces that use excessive force to repress peaceful expression, association, or assembly in countries that the Secretary of State determines are undemocratic or are undergoing democratic transitions.

(d) REPORTS.—

(1) SECURITY ASSISTANCE REPORT.—Not later than 120 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and expended during fiscal year 2018, by country and pur-

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pose of assistance, under the headings "Peacekeeping Operations", "International Military Education and Training", and "Foreign Military Financing Program".

(2) QUARTERLY STATUS REPORT.—Following the submission of the quarterly report required by section 36 of Public Law 90–629 (22 U.S.C. 2776), the Secretary of State, in coordination with the Secretary of Defense, shall submit to the Committees on Appropriations a status report that contains the information described under the heading "Foreign Military Financing Program" in House Report 115–829.

(3) VETTING REPORT.—

(A) IN GENERAL.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on foreign assistance cases submitted for vetting for purposes of section 620M of the Foreign Assistance Act of 1961 during the preceding fiscal year, including—

(i) the total number of cases submitted, approved, suspended, or rejected for human rights reasons; and

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(ii) for cases rejected, a description of the steps taken to assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice, in accordance with section 620M(c) of the Foreign Assistance Act of 1961.

(B) FORM.—The report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(4) ANNUAL FOREIGN MILITARY TRAINING REPORT.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term "military training provided to foreign military personnel by the Department of Defense and the Department of State" shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act as a major non-NATO ally.

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ARMS TRADE TREATY

SEC. 7050. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

AIRCRAFT TRANSFER, COORDINATION, AND USE

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State,

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foreign operations, and related programs under the headings "Diplomatic Programs", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", and "Andean Counterdrug Programs" may be used for any other program and in any region.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: *Provided*, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) AUTHORITY.—The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: *Provided*, That notwithstanding section 7006(b) of this Act, such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel

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supporting Department of State and USAID programs and activities: *Provided further*, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: *Provided further*, That funds received by the Department of State in connection with the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) SCOPE.—The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

(d) AIRCRAFT OPERATIONS AND MAINTENANCE.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act shall be borne by the recipient country.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of

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Public Law 111–117) shall apply to this Act: *Provided*, That the date "September 30, 2009" in subsection (f)(2)(B) of such section shall be deemed to be "September 30, 2018".

INTERNATIONAL MONETARY FUND

SEC. 7054. (a) EXTENSIONS.—The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act.

(b) REPAYMENT.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private or multilateral creditors.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by Congress: *Provided*, That not to exceed $25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96–533; 22 U.S.C. 2151a note).

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DISABILITY PROGRAMS

SEC. 7056. (a) ASSISTANCE.—Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUPPORT.—Of the funds made available pursuant to this section, 5 percent may be used for USAID for management, oversight, and technical support.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 7057. (a) AUTHORITY.—Up to $93,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited ap-

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pointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2020.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", are eliminated.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: *Provided*, That funds made available to carry out this section may be transferred to, and merged with, funds

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appropriated by this Act in title II under the heading "Operating Expenses".

(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace

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Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 15 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) may be assigned to or support programs in Afghanistan or Paki-

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stan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading "Global Health Programs" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of the funds appropriated under title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) GLOBAL FUND.—Of the funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Global Fund is—

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(1) maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public website;

(2) providing sufficient resources to maintain an independent OIG that—

(A) reports directly to the Board of the Global Fund;

(B) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(C) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(3) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

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(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation:

Provided, That such withholding shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2019 pursuant to the application of any other provision contained in this or any other Act.

(c) CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—

(1) EXTRAORDINARY MEASURES.—If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, funds appropriated by this Act under the headings "Global Health Programs", "Development Assistance", "International Disaster Assistance", "Complex Crises Fund", "Economic Support Fund", "Democracy Fund", "Assistance for Europe, Eurasia and Central Asia", "Migration and Refugee Assistance", and "Millennium Challenge Corporation" may be made available

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to combat such infectious disease or public health emergency, and may be transferred to, and merged with, funds appropriated under such headings for the purposes of this paragraph.

(2) CONSULTATION AND NOTIFICATION.—Funds made available by this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(d) REPURPOSED FUNDS.—

(1) USES.—Of the unobligated balances available under the heading "Bilateral Economic Assistance" in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235)—

(A) $38,000,000 shall be for programs to accelerate the capabilities of targeted countries to prevent, detect, and respond to infectious disease outbreaks; and

(B) $2,000,000 shall be made available for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Pro-

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grams Appropriations Act, 2017 (division J of Public Law 115–31) and shall be made available under the same terms and conditions of such section: *Provided*, That the second proviso of such paragraph is amended by striking "Secretary of State" and inserting in lieu thereof "Administrator of the United States Agency for International Development".

(2) CONSULTATION AND NOTIFICATION.—Funds made available by this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(3) TRANSFER BETWEEN ACCOUNTS.—Funds made available pursuant to this subsection under the headings "Global Health Programs" and "International Disaster Assistance" may be transferred to, and merged with, funds made available under such headings: *Provided*, That such transfer authority is in addition to any other transfer authority provided by law.

(4) CLARIFICATION.—Funds made available pursuant to this subsection are in addition to funds otherwise made available for such purposes.

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(5) DESIGNATION.—The amounts repurposed under this subsection are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

GENDER EQUALITY

SEC. 7059. (a) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(b) WOMEN'S LEADERSHIP.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available for programs specifically designed to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

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(c) GENDER-BASED VIOLENCE.—

(1)(A) Of the funds appropriated under titles III and IV of this Act, not less than $150,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and non-conflict settings.

(B) Funds appropriated under titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and United States Agency for International Development gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and non-conflict settings.

(d) WOMEN, PEACE, AND SECURITY.—Funds appropriated by this Act under the headings "Development As-

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sistance", "Economic Support Fund", "Assistance for Europe, Eurasia and Central Asia", and "International Narcotics Control and Law Enforcement" should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

(e) WOMEN AND GIRLS AT RISK FROM EXTREMISM.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $15,000,000 shall be made available to support women and girls who are at risk from extremism and conflict, and for the activities described in section 7059(e)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141): *Provided*, That such funds are in addition to amounts otherwise made available by this Act for such purposes, and shall be made available following consultation with, and the regular notification procedures of, the Committees on Appropriations.

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SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than $800,000,000 shall be made available for assistance for basic education, and such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries: *Provided*, That such funds shall also be used for secondary education activities: *Provided further*, That notifications submitted for basic education programs should, as applicable, describe activities conducted in support of non-state schools: *Provided further*, That the Administrator of the United States Agency for International Development, following consultation with the Committees on Appropriations, may reprogram such funds between countries.

(B) Not later than 30 days after enactment of this Act, the USAID Administrator shall report to the Committees on Appropriations on the status of cumulative unobligated balances and obligated, but unexpended, bal-

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ances in each country where USAID provides basic education assistance and such report shall also include details on the types of contracts and grants provided and the goals and objectives of such assistance: *Provided*, That the USAID Administrator shall update such report on a quarterly basis until September 30, 2020: *Provided further*, That if the USAID Administrator determines that any unobligated balances of funds specifically designated for assistance for basic education in prior Acts making appropriations for the Department of State, foreign operations, and related programs are in excess of the absorptive capacity of recipient countries, such funds may be made available for other programs authorized under chapter 1 of part I of the Foreign Assistance Act of 1961, notwithstanding such funding designation: *Provided further*, That the authority of the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(C) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $90,000,000 shall be

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made available for a contribution to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $235,000,000 shall be made available for assistance for higher education: *Provided*, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of such amount, not less than $35,000,000 shall be made available for human and institutional capacity building partnerships between higher education institutions in the United States and developing countries, of which not less than $15,000,000 shall be for new partnerships: *Provided further*, That not later than 45 days after enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of funds for such partnerships.

(b) DEVELOPMENT PROGRAMS.—Of the funds appropriated by this Act under the heading "Development Assistance", not less than $12,000,000 shall be made available for cooperative development programs of USAID, and not less than $30,000,000 shall be made available for the

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American Schools and Hospitals Abroad program: *Provided*, That any substantive modifications from the prior fiscal year to the evaluation methodology or criteria for selecting grantees for the American Schools and Hospitals Abroad program shall be subject to prior consultation with the Committees on Appropriations.

(c) ENVIRONMENT PROGRAMS.—

(1) AUTHORITY AND NOTIFICATION.—

(A) Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, except for the provisions of this subsection, to support environment programs.

(B) Funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(C) None of the funds in this Act are appropriated or otherwise made available for a contribution, grant, or any other payment for the Green Climate Fund.

(2) CONSERVATION PROGRAMS AND LIMITATIONS.—

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(A) Of the funds appropriated under title III of this Act, not less than $285,000,000 shall be made available for biodiversity conservation programs.

(B) Not less than $90,664,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking.

(C) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the appropriate congressional committees that to do so is in the national security interest of the United States.

(D) Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United

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States executive directors of each international financial institutions (IFI) to vote against any financing of any such activity.

(3) LARGE DAMS.—The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to vote in relation to any loan, grant, strategy, or policy of such institution to support the construction of any large dam consistent with the criteria set forth in Senate Report 114–79, while also considering whether the project involves important foreign policy objectives.

(4) SUSTAINABLE LANDSCAPES.—Of the funds appropriated under title III of this Act, not less than $125,000,000 shall be made available for sustainable landscapes programs.

(d) FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.—Of the funds appropriated by title III of this Act, not less than $1,000,600,000 shall be made available for food security and agricultural development programs to carry out the purposes of the Global Food Security Act of 2016 (Public Law 114–195), of which not less than $315,960,000 shall be made available for the Bureau for Food Security, USAID, including not less than $55,000,000 for the Feed the Future Innovation Labs:

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Provided, That funds may be made available for a contribution as authorized by section 3202 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by section 3206 of the Agricultural Act of 2014 (Public Law 113–79).

(e) MICRO- AND SMALL ENTERPRISES.—Of the funds appropriated by this Act, not less than $265,000,000 shall be made available to support the development of, and access to financing for, micro- and small enterprises that benefit the poor, especially women.

(f) PROGRAMS TO COMBAT TRAFFICKING IN PERSONS.—Of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", "Assistance for Europe, Eurasia and Central Asia", and "International Narcotics Control and Law Enforcement", not less than $67,000,000 shall be made available for activities to combat trafficking in persons internationally, of which not less than $45,000,000 shall be from funds made available under the heading "International Narcotics Control and Law Enforcement": *Provided*, That funds appropriated by this Act that are made available for programs to end modern slavery shall be in addition to funds made available by this subsection to combat trafficking in persons.

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(g) RECONCILIATION PROGRAMS.—Funds appropriated by this Act under the headings "Economic Support Fund" and "Development Assistance" shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war: *Provided*, That the USAID Administrator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government: *Provided further*, That such funds shall be administered by the Office of Conflict Management and Mitigation, USAID.

(h) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $435,000,000 shall be made available for water supply and sanitation projects pursuant to section 136 of the Foreign Assistance Act of 1961, of which not less than $195,000,000 shall be for programs in sub-Saharan Africa, and of which not less than $15,000,000 shall be made available to support initiatives by local communities in developing countries to build and maintain safe latrines.

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ENTERPRISE FUNDS

SEC. 7061. (a) NOTIFICATION.—None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) TRANSITION OR OPERATING PLAN.—Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7062. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate

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outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers' rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to—

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(A) the third proviso of subsection 7079(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117);

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation's Environmental and Social Policy Statement relating to coal; or

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013,

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to: (i) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and (ii) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 7063. (a) TRANSFER OF FUNDS.—Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a

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total of $20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided,* That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further,* That designated funding levels in this Act shall not be transferred pursuant to this section: *Provided further,* That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) AUTHORITY.—Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2019.

INSPECTORS GENERAL

SEC. 7064. (a) PROHIBITION ON USE OF FUNDS.—None of the funds appropriated by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such

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Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) TIMELY ACCESS.—A department or agency of the United States Government covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) COMPLIANCE.—Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) REPORT.—Each Inspector General covered by this section shall report to the Committees on Appropriations within 5 calendar days of any failure by any department or agency of the United States Government to provide its Inspector General access to all requested records, documents, and other materials.

GLOBAL INTERNET FREEDOM

SEC. 7065. (a) FUNDING.—Of the funds available for obligation during fiscal year 2019 under the headings "International Broadcasting Operations", "Economic

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Support Fund", "Democracy Fund", and "Assistance for Europe, Eurasia and Central Asia", not less than $60,500,000 shall be made available for programs to promote Internet freedom globally: *Provided*, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interest of the United States: *Provided further*, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) REQUIREMENTS.—

(1) Funds appropriated by this Act under the headings "Economic Support Fund", "Democracy Fund", and "Assistance for Europe, Eurasia and Central Asia" that are made available pursuant to subsection (a) shall be—

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) for programs to implement the May 2011, International Strategy for Cyberspace; the Department of State International Cyber-

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space Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113); and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(C) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship tech-

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niques: *Provided*, That the Secretary of State, in consultation with the Chief Executive Officer (CEO) of the Broadcasting Board of Governors (BBG), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies; and

(E) made available only after the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, concurs that such funds are allocated consistent with—

(i) the strategies referenced in subparagraph (B) of this paragraph;

(ii) best practices regarding security for, and oversight of, Internet freedom programs; and

(iii) sufficient resources and support for the development and maintenance of anti-censorship technology and tools.

(2) Funds appropriated by this Act under the heading "International Broadcasting Operations" that are made available pursuant to subsection (a) shall be—

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(A) made available only for tools and techniques to securely develop and distribute BBG digital content; facilitate audience access to such content on websites that are censored; coordinate the distribution of BBG digital content to targeted regional audiences; and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated with programs funded by this Act under the heading ''International Broadcasting Operations'', and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the BBG CEO to provide Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the BBG and in a manner consistent with the BBG Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in paragraph (A) only after the BBG CEO, in consultation with the Secretary of State and other relevant United States Government departments and agencies, evaluates the risks and

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benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) COORDINATION AND SPEND PLANS.—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the BBG CEO shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes: *Provided*, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and the United States Agency for International Development offices and bureaus.

(d) SECURITY AUDITS.—Funds made available pursuant to this section to promote Internet freedom globally may only be made available to support technologies that undergo comprehensive security audits conducted by the Bureau of Democracy, Human Rights, and Labor, Department of State to ensure that such technology is secure and has not been compromised in a manner detrimental to the interest of the United States or to individuals and

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organizations benefiting from programs supported by such funds: *Provided*, That the security auditing procedures used by such Bureau shall be reviewed and updated periodically to reflect current industry security standards.

(e) SURGE.—Of the funds appropriated by this Act under the heading "Economic Support Fund", up to $2,500,000 may be made available to surge Internet freedom programs in closed societies if the Secretary of State determines and reports to the appropriate congressional committees that such use of funds is in the national interest: *Provided*, That such funds are in addition to amounts made available for such purposes: *Provided further*, That such funds may be transferred to, and merged with, funds appropriated by this Act under the heading "International Broadcasting Operations" following consultation with, and the regular notification procedures of, the Committees on Appropriations.

MULTI-YEAR PLEDGES

SEC. 7066. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

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(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

SEC. 7067. (a) LIMITATION.—None of the funds made available by this Act may be used to support or justify the use of torture and other cruel, inhuman, or degrading treatment or punishment by any official or contract employee of the United States Government.

(b) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture and other cruel, inhuman, or degrading treatment or punishment by foreign police, military or other security forces

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in countries receiving assistance from funds appropriated by this Act.

EXTRADITION

SEC. 7068. (a) LIMITATION.—None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings "International Disaster Assistance", "Complex Crises Fund", "International Narcotics Control and Law Enforcement", "Migration and Refugee Assistance", "United States Emergency Refugee and Migration Assistance Fund", and "Nonproliferation, Anti-terrorism, Demining and Related Assistance") for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) CLARIFICATION.—Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

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(c) WAIVER.—The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interest of the United States.

WAR CRIMES TRIBUNALS

SEC. 7069. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

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BUDGET DOCUMENTS

SEC. 7070. (a) OPERATING PLANS.—Not later than 45 days after the date of enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2019, that provides details of the uses of such funds at the program, project, and activity level: *Provided*, That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: *Provided further*, That if such department, agency, or organization receives an additional amount under the same heading in title VIII of this Act, operating plans required by this subsection shall include consolidated information on all such funds: *Provided further*, That operating plans that include changes in levels of funding for programs,

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projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables included in the joint explanatory statement accompanying this Act, as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(b) SPEND PLANS.—

(1) Prior to the initial obligation of funds but not later than 120 days after enactment of this Act, the Secretary of State or Administrator of the United States Agency for International Development, as appropriate, shall submit to the Committees on Appropriations a spend plan for funds made available by this Act, for—

(A) assistance for Afghanistan, Iraq, Lebanon, Pakistan, the West Bank and Gaza, Colombia, and countries in Central America;

(B) assistance made available pursuant to section 7047(d) of this Act to counter Russian influence and aggression, except that such plan shall be on a country-by-country basis;

(C) assistance made available pursuant to section 7059 of this Act;

(D) the Indo-Pacific Strategy;

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(E) democracy programs, Power Africa, programs to support section 7071(a) of this Act, and sectors enumerated in subsections (a), (c), (d), (e), (f), (g), and (h) of section 7060 of this Act; and

(F) funds provided under the heading "International Narcotics Control and Law Enforcement" for International Organized Crime and for Cybercrime and Intellectual Property Rights: *Provided*, That the spend plans shall include bilateral and global programs funded under such heading along with a brief description of the activities planned for each country.

(2) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading "Department of the Treasury, International Affairs Technical Assistance" in title III.

(3) Notwithstanding paragraph (1), up to 10 percent of the funds contained in a spend plan required by this subsection may be obligated prior to the submission of such spend plan if the Secretary of State or the USAID Administrator, as appro-

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priate, determines that the obligation of such funds is necessary to avoid significant programmatic disruption: *Provided*, That not less than seven days prior to such obligation, the Secretary or Administrator, as appropriate, shall consult with the Committees on Appropriations on the justification for such obligation and the proposed uses of such funds.

(c) SPENDING REPORT.—Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2018 under the heading "Development Credit Authority".

(d) CLARIFICATION.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(e) CONGRESSIONAL BUDGET JUSTIFICATION.—

(1) The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2020: *Provided*, That the appendices for such justification

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shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(2) The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings "Diplomatic Programs" and "Operating Expenses".

STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7071. (a) COUNTERING FOREIGN FIGHTERS AND EXTREMIST ORGANIZATIONS.—Funds appropriated under titles III and IV of this Act shall be made available for programs and activities to counter and defeat violent extremism and foreign fighters abroad, consistent with the strategy required by section 7073(a)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31): *Provided*, That the Secretary of State shall ensure such programs are coordinated with and complement the efforts of other United States Government agencies and international partners, and that information gained through the conduct of such programs is shared in a timely manner with relevant departments and agencies of the United

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States Government, other international partners, and the appropriate congressional committees, as appropriate.

(b) RELIEF AND RECOVERY FUND.—

(1) FUNDS AND TRANSFER AUTHORITY.—Of the funds appropriated by this Act under the headings "Economic Support Fund", "International Narcotics Control and Law Enforcement", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Peacekeeping Operations", and "Foreign Military Financing Program", not less than $200,000,000 shall be made available for the Relief and Recovery Fund for assistance for areas liberated or at risk from, or under the control of, the Islamic State of Iraq and Syria, other terrorist organizations, or violent extremist organizations, including for stabilization assistance for vulnerable ethnic and religious minority communities affected by conflict: *Provided*, That such funds are in addition to amounts otherwise made available for such purposes and to amounts specifically designated in this Act or in the joint explanatory statement accompanying this Act for assistance for countries: *Provided further*, That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: *Provided further*,

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That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(2) TRANSITIONAL JUSTICE.—Of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" that are made available for the Relief and Recovery Fund, not less than $5,000,000 shall be made available for programs to promote accountability in Iraq and Syria for genocide, crimes against humanity, and war crimes, which shall be in addition to any other funds made available by this Act for such purposes: *Provided*, That such programs shall include components to develop local investigative and judicial skills, and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions: *Provided further*, That such funds shall be administered by the Special Coordinator for the Office of Global Criminal Justice, Department of State: *Provided further*, That funds made available by this paragraph shall only be made available on an open and competitive basis.

(3) FUNDS FOR JORDAN AND TUNISIA.—Of the funds appropriated in prior Acts making appropria-

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tions for the Department of State, foreign operations, and related programs that are made available for the Relief and Recovery Fund, not less than the following amounts shall be made available—

(A) $50,000,000 for assistance for Jordan; and

(B) $50,000,000 for assistance for Tunisia:

Provided, That such funds are in addition to amounts otherwise made available by this Act for such countries.

(c) PREVENTION OF FAILED STATES THROUGH PUBLIC-PRIVATE PARTNERSHIPS.—Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for the Relief and Recovery Fund, up to $10,000,000 shall be made available to implement the program described under this section in the joint explanatory statement accompanying this Act, which shall be apportioned to USAID not later than 90 days after enactment of this Act: *Provided*, That such funds shall be in addition to funds made available for bilateral assistance for such countries, and shall remain available until expended: *Provided further*, That in addition to funds otherwise made available for such purposes, up to $750,000

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of the funds made available by this paragraph may be used by USAID for administrative expenses related to the design and implementation of such program.

(d) COUNTER VIOLENT EXTREMISM IN ASIA.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $2,500,000 shall be made available for programs to counter violent extremism in Asia, including within the Buddhist community: *Provided*, That such funds shall be administered by the Mission Director of the Regional Development Mission for Asia, USAID: *Provided further*, That such funds are in addition to funds otherwise made available for such purposes.

(e) FRAGILE STATES AND EXTREMISM.—Funds appropriated by this Act shall be made available for the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31), subject to the regular notification procedures of the Committees on Appropriations.

(f) GLOBAL CONCESSIONAL FINANCING FACILITY.—Funds appropriated by this Act under the heading "Economic Support Fund" may be made available for the Global Concessional Financing Facility of the World Bank to provide financing to support refugees and host commu-

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nities: *Provided*, That such funds shall be in addition to funds made available for bilateral assistance in the report required by section 653(a) of the Foreign Assistance Act of 1961, and may only be made available subject to prior consultation with the Committees on Appropriations.

UNITED NATIONS POPULATION FUND

SEC. 7072. (a) CONTRIBUTION.—Of the funds made available under the heading "International Organizations and Programs" in this Act for fiscal year 2019, $32,500,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the "Global Health Programs" account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available by this Act may be used by UNFPA for a country program in the People's Republic of China.

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(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) Not later than 4 months after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount of funds that UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to UNFPA after March 1 for obliga-

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tion for the remainder of the fiscal year in which the report is submitted.

REORGANIZATION AND INFORMATION TECHNOLOGY

SEC. 7073. (a) OVERSIGHT.—

(1) PRIOR CONSULTATION AND NOTIFICATION.—Funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may not be used to implement a reorganization, redesign, or other plan described in paragraph (2) by the Department of State, the United States Agency for International Development, or any other Federal department, agency, or organization funded by this Act without prior consultation by the head of such department, agency, or organization with the appropriate congressional committees: *Provided*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That any such notification submitted to such Committees shall include a detailed justification for any proposed action, including the information specified under this section in the joint explanatory statement accompanying this Act: *Provided further*, That congressional notifications submitted during the previous fiscal year

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pursuant to section 7081 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141) may be deemed to meet the notification requirements of this section.

(2) DESCRIPTION OF ACTIVITIES.—Pursuant to paragraph (1), a reorganization, redesign, or other plan shall include any action to—

(A) expand, eliminate, consolidate, or downsize covered departments, agencies, or organizations, including bureaus and offices within or between such departments, agencies, or organizations, including the transfer to other agencies of the authorities and responsibilities of such bureaus and offices;

(B) expand, eliminate, consolidate, or downsize the United States official presence overseas including at bilateral, regional, and multilateral diplomatic facilities and other platforms; or

(C) expand or reduce the size of the Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State and USAID from the onboard levels as of December 31, 2017.

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(b) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

(1) PERSONNEL LEVELS.—Funds made available by this Act are made available to support the agency-wide on-board Foreign Service and Civil Service staff levels of the Department of State and USAID at not less than the levels as of December 31, 2017.

(2) REPORTS.—

(A) Not later than 30 days after enactment of this Act, and quarterly thereafter until September 30, 2020, the USAID Administrator shall submit a report to the appropriate congressional committees on the status of USAID reorganization as described in the joint explanatory statement accompanying this Act: *Provided*, That the USAID Administrator shall consult with the appropriate congressional committees on the format of such reports.

(B) Not later than 60 days after enactment of this Act and every 60 days thereafter until September 30, 2020, the Secretary of State, in the case of the Department of State, and the USAID Administrator, in the case of USAID, shall report to the appropriate congres-

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sional committees on the on-board personnel levels, hiring, and attrition of the Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State and USAID, as appropriate, on an operating unit-by-operating unit basis: *Provided*, That such report shall also include a hiring plan, including timelines, for maintaining the agency-wide, on-board Foreign Service and Civil Service at not less than the December 31, 2017 level through fiscal year 2019.

(3) BUREAU OF POPULATION, REFUGEES, AND MIGRATION, DEPARTMENT OF STATE.—None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may be used to downsize, downgrade, consolidate, close, move, or relocate the Bureau of Population, Refugees, and Migration, Department of State, or any activities of such Bureau, to another Federal agency.

(4) ADMINISTRATION OF FUNDS.—Funds made available by this Act—

(A) under the heading "Migration and Refugee Assistance" shall be administered by

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the Assistant Secretary for Population, Refugees, and Migration, Department of State, and this responsibility shall not be delegated; and

(B) that are made available for the Office of Global Women's Issues shall be administered by the United States Ambassador-at-Large for Global Women's Issues, Department of State, and this responsibility shall not be delegated.

(5) INFORMATION TECHNOLOGY PLATFORM.—

(A) None of the funds appropriated in title I of this Act under the heading "Administration of Foreign Affairs" may be made available for a new major information technology (IT) investment without the concurrence of the Chief Information Officer, Department of State.

(B) In complying with the requirements of this paragraph, the Chief Information Officer, Department of State, shall consider whether a new major information technology investment—

(i) is consistent with the Department Information Technology Strategic Plan;

(ii) maintains consolidated control over enterprise IT functions or improves operational maintenance;

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(iii) improves Department of State resiliency to a cyber-attack;

(iv) reduces Department of State IT costs over the long-term; and

(v) is in accordance with the Federal Acquisition Regulation (FAR), including FAR Part 6 regarding competition requirements.

(6) TECHNOLOGY MODERNIZATION FUND LIMITATION.—

(A) None of the funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used by an agency to submit a project proposal to the Technology Modernization Board for funding from the Technology Modernization Fund unless, not later than 15 days in advance of submitting the project proposal to the Board, the head of the agency—

(i) notifies the Committees on Appropriations of the proposed submission of the project proposal; and

(ii) submits to the Committees on Appropriations a copy of the project proposal.

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(B) None of the funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used by an agency to carry out a project that is approved by the Board unless the head of the agency—

(i) submits to the Committees on Appropriations a copy of the approved project proposal, including the terms of reimbursement of funding received for the project; and

(ii) agrees to submit to the Committees on Appropriations a copy of each report relating to the project that the head of the agency submits to the Board.

(7) FOREIGN ASSISTANCE REVIEW.—Programmatic, funding, and organizational changes resulting from implementation of the Foreign Assistance Review shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such notifications may be submitted in classified form, if necessary.

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RESCISSIONS

(INCLUDING RESCISSION OF FUNDS)

SEC. 7074. (a) Of the unobligated balances available under the heading "International Narcotics Control and Law Enforcement", as identified by Treasury Appropriation Fund Symbol 11 X 1022, $12,420,000 are rescinded.

(b) Of the grant balances in the Foreign Military Sales Trust Fund, identified by Treasury Appropriation Fund Symbol 97–11 X 8242, which are not currently applied to an active FMS case and which were appropriated prior to fiscal year 2009, $11,000,000 shall be deobligated, as appropriate, and shall be permanently rescinded.

JOHN S. MCCAIN SCHOLARS PROGRAM

SEC. 7075. Funds appropriated by this Act under the heading "Educational and Cultural Exchange Programs" that are made available for the Benjamin Gilman International Scholarships Program shall also be made available for the John S. McCain Scholars Program, pursuant to section 303 of the International Academic Opportunity Act of 2000 (Public Law 106–309), to include the dependents of active United States military personnel who are receiving any form of Federal Financial Aid under title IV of the Higher Education Act of 1965.

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AFGHAN SPECIAL IMMIGRANT VISAS

SEC. 7076. (a) AFGHAN ALLIES.—Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (division F of Public Law 111–8), as amended, is further amended by substituting "18,500" for "14,500" in the matter preceding clause (i).

(b) CONDITIONS.—None of the funds appropriated by this Act may be made available for the additional special immigrant visas made available under subsection (a) until the Secretary of State—

(1) develops and implements a system to prioritize the processing of Afghan applicants for special immigrant visas under section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note); and

(2) submits to the appropriate congressional committees, as defined in section 602(a) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note), the following reports:

(A) the report required under paragraph (12) of section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note), as amended by section 1222 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232);

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(B) a report on the procedures and processes used by the Chief of Mission to determine whether an Afghan applicant for a special immigrant visa under section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) has experienced, is experiencing, or may reasonably be expected to experience an ongoing, serious threat as a result of the qualifying service of the applicant; and

(C) a report on the procedures for background and security checks on Afghan applicants for special immigrant visas under such section.

SAUDI ARABIA

SEC. 7077. None of the funds appropriated by this Act under the heading "International Military Education and Training" may be made available for assistance for the Government of Saudi Arabia.

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TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic Programs", $3,225,971,000, to remain available until September 30, 2020, of which $2,626,122,000 is for Worldwide Security Protection and shall remain available until expended: *Provided*, That the Secretary of State may transfer up to $5,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in, and assistance for, Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided further*, That any such transfer shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

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OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $54,900,000, to remain available until September 30, 2020, which shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: *Provided*, That printing and reproduction costs of SIGAR shall not exceed amounts for such costs during fiscal year 2018: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to International Organizations", $96,240,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for "Contributions for International Peacekeeping Activities", $988,656,000, to remain available until September 30, 2020: *Provided*,

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That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $158,067,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", $584,278,000, to remain available until expended: *Provided*, That such funds shall be apportioned to the United States Agency for International Development not later than 60 days after enactment of this Act: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global

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War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

For an additional amount for "Transition Initiatives", $62,043,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", $1,172,336,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance" to respond to refugee crises, including in Africa, the Near East, South and Central Asia, and Europe and Eurasia, $1,404,124,000, to remain available until expended, except that such funds shall not be made

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available for the resettlement costs of refugees in the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", $325,213,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That funds available for obligation under this heading in this Act may be used to pay assessed expenses of international peacekeeping activities in Somalia under the same terms and conditions, as applicable, as funds appropriated under the heading "Contributions for International Peacekeeping Activities" in this Act, subject to the regular notification procedures of the Committees on Appropriations.

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FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", $229,372,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

ADDITIONAL APPROPRIATIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2019.

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

TRANSFER OF FUNDS

SEC. 8003. (a) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—

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(1) Funds appropriated by this title in this Act under the headings "Transition Initiatives" and "Economic Support Fund" may be transferred to, and merged with, funds appropriated by this title under such headings.

(2) Funds appropriated by this title in this Act under the headings "Peacekeeping Operations" and "Foreign Military Financing Program" may be transferred to, and merged with, funds appropriated by this title under such headings.

(b) GLOBAL SECURITY CONTINGENCY FUND.—Notwithstanding any other provision of this section, up to $7,500,000 from funds appropriated under the headings "Peacekeeping Operations" and "Foreign Military Financing Program" by this title in this Act may be transferred to, and merged with, funds previously made available under the heading "Global Security Contingency Fund".

(c) LIMITATION.—The transfer authority provided in subsection (a) may only be exercised to address contingencies.

(d) NOTIFICATION.—The transfer authority provided by this section shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such transfer authority

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is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961 which may be exercised by the Secretary of State for the purposes of this title.

RESCISSION

(INCLUDING RESCISSION OF FUNDS)

SEC. 8004. Of the unobligated balances from amounts available under the heading "Diplomatic and Consular Programs" in title II of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254), $301,200,000 are rescinded: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This division may be cited as the "Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019".

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DIVISION G—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $113,910,000, of which not to exceed $3,065,000 shall be available for the immediate Office of the Secretary; not to exceed $1,000,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,428,000 shall be available for the Office of the General Counsel; not to exceed $10,331,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $14,300,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $29,244,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,142,000 shall be available for the Office of Public Affairs; not to exceed $1,859,000 shall be available for the

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Office of the Executive Secretariat; not to exceed $12,181,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $16,814,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 7 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 7 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

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RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $8,471,000, of which $2,218,000 shall remain available until September 30, 2021: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $900,000,000, to remain available through September 30, 2021: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, port authority, or a collaboration among such entities on a competitive basis for projects that will have a significant local or regional impact: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be lim-

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ited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed $15,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, or sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a

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variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $25,000,000: *Provided further*, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That of the funds made available under this heading not more than 50 percent shall be for projects located in a rural area with a population equal to or less than 200,000: *Provided further*, That for projects located in a rural area, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That of the funds made available under this heading not more than 50 percent shall be for projects located in an urbanized area with a population of more than 200,000: *Provided further*, That funds for an urbanized area under the previous proviso may be obligated to projects in the metropolitan area established under section 134 of title 23, United States Code, that encompasses such urbanized

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area: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may set aside not more than 3 percent of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program: *Provided further*, That the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2017 Notice of Funding Opportunity: *Provided further*, That, notwithstanding the previous proviso, the Secretary shall not use the Federal share or an applicant's ability to generate non-Federal revenue as a selection criteria in awarding projects: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity no later than 60 days after enactment of this Act: *Provided further*, That such Notice of Funding Opportunity shall require application submissions 90 days after the pub-

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lishing of such Notice: *Provided further*, That of the applications submitted under the previous two provisos, the Secretary shall make grants no later than 270 days after enactment of this Act in such amounts that the Secretary determines: *Provided further*, That such sums provided for national infrastructure investments for passenger rail transportation projects under title I of division C of the Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112–55; 125 Stat. 641), shall remain available for expenditure through fiscal year 2019 for the liquidation of valid obligations of active grants awarded with this funding: *Provided further*, That such sums provided for national infrastructure investments for port infrastructure projects under title VIII of division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 432) shall remain available through fiscal year 2020 for the liquidation of valid obligations of active grants awarded with this funding: *Provided further*, That the 2 preceding provisos shall be applied as if they were in effect on September 30, 2018.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, $5,000,000, to remain available

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until expended: *Provided*, That the Secretary shall notify the House and Senate Committees on Appropriations no less than 15 days prior to exercising the transfer authority granted under section 116(h) of title 49, United States Code.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $2,000,000, to remain available through September 30, 2020.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, $15,000,000, to remain available through September 30, 2020.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,470,000.

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TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, $7,879,000, to remain available until expended: *Provided*, That of such amount, $1,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $319,793,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis

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to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For necessary expenses of the Minority Business Resource Center, the provision of financial education outreach activities to eligible transportation-related small businesses, the monitoring of existing loans in the guaranteed loan program, and the modification of such loans of the Minority Business Resource Center, $500,000, as authorized by 49 U.S.C. 332; *Provided*, That notwithstanding that section, these funds may be for business opportunities related to any mode of transportation.

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SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, $3,488,000, to remain available until September 30, 2020: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has nego-

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tiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Council on Credit and Finance, including the agenda for each meeting, and require the Council on

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Credit and Finance to record the decisions and actions of each meeting.

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: *Provided further*, That such reserve will not exceed one month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: *Provided further*, That the Working Capital Fund will be fully reimbursed by each customer agency from available funds for the actual cost of the transit benefit.

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FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $10,410,758,000, to remain available until September 30, 2020, of which $9,833,400,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,841,720,000 shall be available for air traffic organization activities; not to exceed $1,336,969,000 shall be available for aviation safety activities; not to exceed $24,949,000 shall be available for commercial space transportation activities; not to exceed $816,398,000 shall be available for finance and management activities; not to exceed $61,258,000 shall be available for NextGen and operations planning activities; not to exceed $114,165,000 shall be available for security and hazardous materials safety; and not to exceed

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$215,299,000 shall be available for staff offices: *Provided*, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 5 percent: *Provided further*, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring

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goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $168,000,000

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shall be used to fund direct operations of the current 254 air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport: *Provided further*, That of the amount appropriated under this heading, up to $6,000,000 shall be used for providing matching funds to qualified commercial entities seeking to demonstrate or validate technologies that the Federal Aviation Administration considers essential to the safe integration of unmanned aircraft systems (UAS) in the National Airspace System at Federal Aviation Administration designated UAS test sites: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall identify essential integration technologies that could be demonstrated or validated at test sites designated in accordance with the preceding proviso.

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FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $3,000,000,000, of which $512,823,000 shall remain available until September 30, 2020, $2,372,127,000 shall remain available until September 30, 2021, and $115,050,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses in-

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curred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2020 through 2024, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $191,100,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2021: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: *Provided further*, That funds made available under this head-

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ing shall be used in accordance with the joint explanatory statement accompanying this Act: *Provided further*, That not to exceed 10 percent of any funding level specified under this heading in the joint explanatory statement accompanying this Act may be transferred to any other funding level specified under this heading in the joint explanatory statement accompanying this Act: *Provided further*, That no transfer may increase or decrease any funding level by more than 10 percent: *Provided further*, That any transfer in excess of 10 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation,

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and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,000,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2019, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the con-

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struction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $112,600,000 shall be available for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $33,210,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for "Grants-In-Aid for Airports", to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, $500,000,000, to remain available through September 30, 2021: *Provided*, That amounts made available under this heading shall be derived from

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the general fund, and such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471: *Provided further*, That the Secretary shall distribute funds provided under this heading as discretionary grants to airports: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: *Provided further*, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2019.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance,

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utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually per-

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formed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than eight political

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and Presidential appointees in the Federal Aviation Administration.

SEC. 119. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119A. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share

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Program participants as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in the Federal Aviation Administration report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers (FAA–APO–90–7 as of August, 1990).

SEC. 119D. Notwithstanding any other provision of law, none of the funds made available in this Act may be obligated or expended to limit the use of an Organization Designation Authorization's (ODA) delegated functions documented in its procedures manual on a type certification project unless the Administrator documents a systemic airworthiness noncompliance performance issue as a result of inspection or oversight that the safety of air commerce requires a limitation with regard to a specific authorization or where an ODA's capability has not been previously established in terms of a new compliance method or design feature: *Provided*, That in such cases FAA shall work with the ODA holder if requested to develop the capability to execute that function safely, efficiently and effectively: *Provided further*, That this section does not limit the authority of the Federal Aviation Administration to pursue emergency actions on ODAs where specific safety issues are noted.

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SEC. 119E. None of the funds made available by this Act and apportioned under section 47114(d) of title 49, United States Code, shall be made available for construction of a storage building, or a portion of such building, to shelter snow equipment in excess of equipment needs established by standards issued by the Secretary of Transportation that is owned by an airport categorized as a local general aviation airport as indicated in Federal Aviation Administration 2017- 2021 National Plan of Integrated Airport Systems (NPIAS) report unless such airport sponsor certifies conformity with the following:

(1) The storage building, or portion thereof, to be constructed will be used to store snow removal equipment exclusively used for clearing airfield pavement of snow and ice following a weather event.

(2) The 30-year annual snowfall normal of the nearest weather station based on the National Oceanic and Atmospheric Administration Summary of Monthly Normals 1981-2010 exceeds 26 inches.

(3) The airport serves as a base for a medical air ambulance transport aircraft; (d)that the airport master record (Form 5010-1) effective on September 14, 2017 for the airport indicates 45 based aircraft consisting of single engine, multiple engine, and jet engine aircraft.

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(4) The airport sponsor will complete design of the storage building not later than fiscal year 2018 and initiate construction of the storage building not later than fiscal year 2019.

(5) The area of the storage building, or portion thereof, to be funded under this section shall not exceed 6,000 square feet.

SEC. 119F. (a) TERMINAL AERODROME FORECAST.—The Administrator shall permit an air carrier operation under part 121 of title 14, Code of Federal Regulations, to operate to a destination determined to be under visual flight rules without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report if a current Area Forecast, supplemented by other local weather observations or reports, is available, and an alternate airport that has an available Terminal Aerodrome Forecast and weather report is specified. The air carrier shall have approved procedures for dispatch and en route weather evaluation and shall operate under instrument flight rules en route to the destination.

(b) LIMITATION.—Without a written finding of necessity, based on objective and historical evidence of imminent threat to safety, the Administrator shall not promulgate any operation specification, policy, or guidance docu-

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ment that is more restrictive than, or requires procedures that are not expressly stated in, the regulations.

SEC. 119G. Of the funds provided under the heading "Grants-in-aid for Airports", up to $3,500,000 shall be for necessary expenses, including an independent verification regime, to provide reimbursement to airport sponsors that do not provide gateway operations and providers of general aviation ground support services located at those airports closed during a temporary flight restriction (TFR) for any residence of the President that is designated or identified to be secured by the United States Secret Service, and for direct and incremental financial losses incurred while such airports are closed solely due to the actions of the Federal Government: *Provided*, That no funds shall be obligated or distributed to airport sponsors that do not provide gateway operations and providers of general aviation ground support services until an independent audit is completed: *Provided further*, That losses incurred as a result of violations of law, or through fault or negligence, of such operators and service providers or of third parties (including airports) are not eligible for reimbursements: *Provided further*, That obligation and expenditure of funds are conditional upon full release of the United States Government for all claims for financial losses resulting from such actions.

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FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $446,444,304, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of $45,268,596,000 for fiscal year 2019: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion

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of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $46,007,596,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

HIGHWAY INFRASTRUCTURE PROGRAMS

There is hereby appropriated to the Secretary of Transportation $3,250,000,000: *Provided*, That the amounts made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2019 in this or any other Act for "Federal-aid Highways" under chapter 1 of title 23, United States Code, and shall not affect the distribution or amount of funds provided in any other Act: *Pro-*

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vided further, That section 1101(b) of Public Law 114–94 shall apply to funds made available under this heading: *Provided further*, That of the funds made available under this heading, $2,729,000,000 shall be set aside for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, $16,000,000 shall be set aside for activities eligible under the Puerto Rico Highway Program as described in section 165(b)(2)(C) of such title, $5,000,000 shall be set aside for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of such title, $25,000,000 shall be set aside for the nationally significant Federal lands and tribal projects program under section 1123 of the Fixing America's Surface Transportation (FAST) Act (Public Law 114–94), and $475,000,000 shall be set aside for a bridge replacement and rehabilitation program for qualifying States: *Provided further*, That for purposes of this heading, (1) the term "State" means any of the 50 States or the District of Columbia and (2) the term "qualifying State" means a State for which the percentage of total deck area of bridges classified as in poor condition in such State is at least 7.5 percent: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A)

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of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section 133(h) of such title shall not apply to funds made available under this heading: *Provided further*, That the funds made available under this heading for (1) activities eligible under section 133(b)(1)(A) of such title and for the elimination of hazards and the installation of protective devices at railways-highway crossings, and (2) a bridge replacement and rehabilitation program shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2022: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2019 is distributed among the States in section 120(a)(5) of this Act: *Provided further*, That, except as provided in the following proviso, the funds made available under this heading for activities eligible under the Puerto Rico Highway Program and activities eligible under the Territorial Highway Pro-

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gram shall be administered as if allocated under sections 165(b) and 165(c), respectively, of such title and shall remain available through September 30, 2022: *Provided further*, That the funds made available under this heading for activities eligible under the Puerto Rico Highway Program shall not be subject to the requirements of sections 165(b)(2)(A) or 165(b)(2)(B) of such title: *Provided further*, That the funds made available under this heading for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act shall remain available through September 30, 2022: *Provided further*, That the Secretary shall distribute funds made available under this heading for a bridge replacement and rehabilitation program to each qualifying State by the proportion that the percentage of total deck area of bridges classified as in poor condition in each qualifying State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all qualifying States: *Provided further*, That the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That except as provided in the following proviso the funds made available under this heading for a bridge replacement and rehabilitation program shall be

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used in areas of a qualifying State that have a population of 200,000 or fewer individuals: *Provided further*, That if a qualifying State has no bridges located in areas with a population of 200,000 or fewer individuals, or if a qualifying State has insufficient bridge replacement or rehabilitation needs in areas of the State with a population of 200,000 or fewer individuals, the funds made available under this heading for a bridge replacement and rehabilitation program may be used for highway bridge replacement or rehabilitation projects on public roads in any area of the State: *Provided further*, That for purposes of this heading for a bridge replacement and rehabilitation program, the Secretary shall (1) calculate population based on the latest available data from the decennial census conducted under section 141(a) of title 13, United States Code, and (2) calculate the percentages of total deck area of bridges classified as in poor condition based on the National Bridge Inventory as of December 31, 2017.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2019, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

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(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and

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highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America's Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

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(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

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(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only

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to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2019, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving

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priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of the Fixing America's Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

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SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate

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Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award: *Provided*, That the written notification required in the previous proviso shall be made no later than 180 days after enactment of this Act.

SEC. 125. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associ-

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ated obligation limitation: *Provided*, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term "earmarked amount" means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

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(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

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FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $284,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $284,000,000 for "Motor Carrier Safety Operations and Programs" for fiscal year 2019, of which $9,073,000, to remain available for obligation until September 30, 2021, is for the research and technology program, and of which $34,824,000, to remain available for obligation until September 30, 2021, is for information management.

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MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $382,800,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $382,800,000 in fiscal year 2019 for "Motor Carrier Safety Grants"; of which $304,300,000 shall be available for the motor carrier safety assistance program, $32,500,000 shall be available for the commercial driver's license program implementation program, $44,000,000 shall be available for the high priority activities program, and $2,000,000 shall be made available for commercial motor vehicle operators grants, of which $1,000,000 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety grants in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public

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Law 109–59), or other appropriations or authorization acts.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 131. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

SEC. 132. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce or in any other way make effective the final rule published by the Federal Motor Carrier Safety Administration on May 27, 2015, entitled

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"Lease and Interchange of Vehicles; Motor Carriers of Passengers".

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $190,000,000, of which $40,000,000 shall remain available through September 30, 2020.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, section 4011 of the Fixing America's Surface Transportation Act (Public Law 114–94), and chapter 303 of title 49, United States Code, $152,100,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2019, are in excess of $152,100,000, of which $146,700,000 shall be for programs authorized under 23

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U.S.C. 403 and section 4011 of the Fixing America's Surface Transportation Act (Public Law 114–94) and $5,400,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $152,100,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2020, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, $610,208,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2019, are in excess of $610,208,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which

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$270,400,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402; $283,000,000 shall be for "National Priority Safety Programs" under 23 U.S.C. 405; $30,200,000 shall be for the "High Visibility Enforcement Program" under 23 U.S.C. 404; $26,608,000 shall be for "Administrative Expenses" under section 4001(a)(6) of the Fixing America's Surface Transportation Act: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for "National Priority Safety Programs" under 23 U.S.C. 405 for "Impaired Driving Countermeasures" (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the "Transfers" provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(8) within 5 days.

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ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

SEC. 143. In addition to the amounts made available under the heading, "Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)" for carrying out the provisions of section 403 of title 23, United States Code,

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$14,000,000, to remain available until September 30, 2020, shall be made available to the National Highway Traffic Safety Administration from the general fund, of which not to exceed $7,000,000 shall be available to provide funding for grants, pilot program activities, and innovative solutions to reduce impaired-driving fatalities in collaboration with eligible entities under section 403 of title 23, United States Code, and not to exceed $7,000,000 shall be available to continue a high visibility enforcement paid-media campaign regarding highway-rail grade crossing safety in collaboration with the Federal Railroad Administration.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $221,698,000, of which $18,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $40,600,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sec-

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tions 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, $400,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses funds provided under this heading in this Act and previously unawarded funds provided under this heading in fiscal year 2017 by Public Law 115–31 and fiscal year 2018 by Public Law 115–141, no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 180 days after enactment of this Act.

AMERICAN OVERSIGHT
February 9, 2019 (2:15 p.m.)
MULTI-HHS-18-0600-A and 18-604-A-001400

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 24407 of title 49, United States Code, $255,000,000, to remain available until expended: *Provided*, That section 24405(f) of title 49, United States Code, shall not apply to projects for the implementation of positive train control systems otherwise eligible under section 24407(c)(1) of title 49, United States Code: *Provided further*, That amounts available under this heading for projects selected for commuter rail passenger transportation may be transferred by the Secretary, after selection, to the appropriate agencies to be administered in accordance with chapter 53 of title 49, United States Code: *Provided further*, That the Secretary shall not limit eligible projects from consideration for funding for planning, engineering, environmental, construction, and design elements of the same project in the same application: *Provided further*, That unobligated balances remaining after 4 years from the date of enactment may be used for any eligible project under section 24407(c) of title 49, United States Code: *Provided further*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management over-

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sight of grants carried out under section 24407 of title 49, United States Code: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses previously unawarded funds provided under this heading in fiscal year 2018 by Public Law 115–141 and funds provided under this heading in this Act no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 120 days after enactment of this Act.

RESTORATION AND ENHANCEMENT

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $5,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of award and project management and oversight: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity for funds provided under this heading no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 120 days after enactment of this Act.

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MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

For necessary expenses related to the deployment of magnetic levitation transportation projects, consistent with language in 1307(a) through (c) of Public Law 109–59, as amended by section 102 of Public Law 110–244 (section 322 of title 23, United States Code), $10,000,000, to remain available until expended.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $650,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the "National Network Grants to the National Railroad Passenger Corporation" heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: *Provided further*, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114–94, the Sec-

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retary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading and the "National Network Grants to the National Railroad Passenger Corporation" heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $1,291,600,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code: *Provided further*, That at least $50,000,000 of the amount provided under this heading shall be available for the development, installation and op-

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eration of railroad safety technology, including the implementation of a positive train control system, on State-supported routes as defined under section 24102(13) of title 49, United States Code, on which positive train control systems are not required by law or regulation: *Provided further*, That not less than $50,000,000 of the amount provided under this heading shall be for capital expenses related to safety improvements, maintenance, and the non-Federal match for discretionary Federal grant programs to enable continued passenger rail operations on long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad's line and a positive train control system is not required by law or regulation: *Provided further*, That none of the funds provided under this heading shall be used by Amtrak to give notice under subsection (a) or (b) of section 24706 of title 49, United States Code, with respect to long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad's line and a positive train control system is not required by law or regulation, or, except in an emergency or during maintenance or construction outages impacting such routes, to otherwise discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any portion of such

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route operated in fiscal year 2018, including implementation of service permitted by section 24305(a)(3)(A) of title 49, United States Code, in lieu of rail service.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act, a summary of all overtime payments incurred by the Corporation for 2018 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2018 and for the three prior calendar years.

SEC. 151. It is the sense of Congress that—

(1) long-distance passenger rail routes provide much-needed transportation access for 4,700,000

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riders in 325 communities in 40 States and are particularly important in rural areas; and

(2) long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the National Network (as defined in section 24102 of title 49, United States Code).

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $113,165,000, of which up to $1,000,000 shall be available to carry out the provisions of section 5326 of such title: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2020 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2020.

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TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, $9,900,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, shall not exceed total obligations of $9,939,380,030 in fiscal year 2019: *Provided further*, That the Federal share of the cost of activities carried out under 49 U.S.C. section 5312 shall not exceed 80 percent, except

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that if there is substantial public interest or benefit, the Secretary may approve a greater Federal share.

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities grants under section 5339 of title 49, United States Code, state of good repair grants under section 5337 of such title, formula grants for rural areas under section 5311 of such title, high density state apportionments under section 5340(d) of such title, and the bus testing facilities under sections 5312 and 5318 of such title, $700,000,000 to remain available until expended: *Provided*, That $350,000,000 shall be available for grants as authorized under section 5339 of such title, of which $160,000,000 shall be available for the buses and bus facilities formula grants as authorized under section 5339(a) of such title, $160,000,000 shall be available for the buses and bus facilities competitive grants as authorized under section 5339(b) of such title, and $30,000,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: *Provided further*, That $263,000,000 shall be available for the state of good repair grants as authorized under section 5337 of such title: *Provided further*, That $40,000,000 shall be available for formula grants for rural areas as authorized under section 5311 of such title: *Provided further*, That $40,000,000

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shall be available for the high density state apportionments as authorized under section 5340(d) of such title: *Provided further*, That $1,000,000 shall be available for the bus testing facility as authorized under section 5318 of such title: *Provided further*, That notwithstanding section 5318(a) of such title, $6,000,000 shall be available for the operation and maintenance of bus testing facilities by institutions of higher education selected pursuant to section 5312(h) of such title: *Provided further*, That the Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each institution of higher education selected pursuant to section 5312(h) of such title, to operate and maintain a facility to conduct the testing of low or no emission vehicle new bus models using the standards established pursuant to section 5318(e)(2) of such title: *Provided further*, That the term "low or no emission vehicle" has the meaning given the term in section 5312(e)(6) of such title: *Provided further*, That the Secretary shall pay 80 percent of the cost of testing a low or no emission vehicle new bus model at each selected institution of higher education: *Provided further*, That the entity having the vehicle tested shall pay 20 percent of the cost of testing: *Provided further*, That a low or no emission vehicle new bus model tested that receives a passing aggregate test score in accordance with the standards

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established under section 5318(e)(2) of such title, shall be deemed to be in compliance with the requirements of section 5318(e) of such title: *Provided further*, That amounts made available by this heading shall be derived from the general fund: *Provided further*, That the amounts made available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000, of which not less than $1,500,000 shall be for a cooperative agreement through which the Federal Transit Administration assists small-urban, rural and tribal public transit recipients and planning organizations with applied innovation and capacity-building: *Provided*, That the assistance provided under this heading not duplicate the activities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America's Surface Transportation Act, $2,552,687,000, to remain available until September 30, 2022: *Provided*, That of the amounts made available under this heading,

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$2,169,783,950 shall be obligated by December 31, 2020: *Provided further*, That of the amounts made available under this heading, $1,265,670,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code, $635,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code, $526,500,000 shall be available for projects authorized under section 5309(h) of title 49, United States Code, and $100,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America's Surface Transportation Act: *Provided further*, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving

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and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of division B of Public Law 110–432.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Fed-

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eral Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2022, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2018, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 51 percent.

SEC. 164. Of the unobligated amounts made available for fiscal years 2005 or prior fiscal years to "Transit Formula Grants", a total of $46,560,000 is hereby permanently rescinded.

SEC. 165. None of the funds made available under this Act may be used for the implementation or furtherance of new policies detailed in the "Dear Colleague" letter distributed by the Federal Transit Administration to capital investment grant program project sponsors on June 29, 2018.

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SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities on those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $36,000,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: *Provided*, That of the amounts made available under this heading, not less than $16,000,000 shall be used on capital asset renewal activities.

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MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $300,000,000, to remain available until expended.

OPERATIONS AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of operations and training activities authorized by law, $149,442,000, of which $70,593,000 shall remain available until September 30, 2020 for the operations of the United States Merchant Marine Academy, and of which $18,000,000 shall remain available until expended for the maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy: *Provided*, That not later than January 12, 2019, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417: *Provided further*, That of the amounts made available under this heading, $3,000,000 shall remain available until September 30, 2020 for the Maritime Environment and Technology As-

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sistance program authorized under section 50307 of title 46, United States Code: *Provided further*, That of the amounts made available under this heading, $7,000,000, shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided further*, That available balances under this heading for the Short Sea Transportation Program (America's Marine Highways) from prior year recoveries shall be available to carry out activities authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided further*, That from funds provided under the previous two provisos, the Secretary of Transportation shall make grants no later than 180 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That any unobligated balances available from previous appropriations for programs and activities supporting State Maritime Academies shall be transferred to and merged with the appropriations for "Maritime Administration, State Maritime Academy Operations" and shall be made available for the same purposes.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support and training activities for State Maritime Academies,

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$345,200,000, of which $25,000,000, to remain available until expended, shall be for maintenance, repair, life extension, and capacity improvement of National Defense Reserve Fleet training ships in support of State Maritime Academies, of which $8,000,000, to remain available until expended, shall be for expenses related to training mariners for costs associated with training vessel sharing pursuant to 46 U.S.C. 51504(g)(3) for costs associated with mobilizing, operating and demobilizing the vessel, including travel costs for students, faculty and crew, the costs of the general agent, crew costs, fuel, insurance, operational fees, and vessel hire costs, as determined by the Secretary, of which $300,000,000, to remain available until expended, shall be for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships, of which $2,400,000 shall remain available through September 30, 2020, for the Student Incentive Program, of which $3,800,000 shall remain available until expended for training ship fuel assistance, and of which $6,000,000 shall remain available until September 30, 2020, for direct payments for State Maritime Academies.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as

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amended by Public Law 113–281, $20,000,000, to remain available until expended.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $5,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, $3,000,000, which shall be transferred to and merged with the appropriations for "Operations and Training", Maritime Administration.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

To make grants to improve port facilities as authorized under section 50302 of title 46, United States Code, $200,000,000 to remain available until expended: *Provided*, That projects eligible for funding provided under this heading shall be projects for coastal seaports: *Provided further*, That in addition, $92,730,000, to remain available until expended, shall be for grants to the 15 coastal seaports that handled the greatest number of loaded foreign and domestic twenty-foot equivalent units of containerized cargo in 2016, as identified by the U.S.

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Army Corps of Engineers: *Provided further*, That the Maritime Administration shall distribute funds provided under this heading as discretionary grants to port authorities or commissions or their subdivisions and agents under existing authority, as well as to a State or political subdivision of a State or local government, a tribal government, a public agency or publicly chartered authority established by one or more States, a special purpose district with a transportation function, a multistate or multijurisdictional group of entities, or a lead entity described above jointly with a private entity or group of private entities: *Provided further*, That projects eligible for funding provided under this heading shall be either within the boundary of a port, or outside the boundary of a port, and directly related to port operations or to an intermodal connection to a port that will improve the safety, efficiency, or reliability of the movement of goods into, out of, around, or within a port, as well as the unloading and loading of cargo at a port: *Provided further*, That in awarding grants from funds made available by the second proviso under this heading for the 15 coastal seaports referred to, the Maritime Administration shall give priority consideration for proposed projects that construct treatment facilities defined in section 305.1 of title 7, Code of Federal Regulations, to meet the phytosanitary treatment requirements of sections

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305.5 through 305.8 of title 7, Code of Federal Regulations: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be up to 80 percent: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration: *Provided further*, That the proceeds of Federal credit assistance under chapter 6 of title 23, United States Code or sections 501 through 504 of the Railroad and Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, shall be considered to be part of the non-Federal share of project costs if the loan is repayable from non-Federal funds, unless otherwise requested by the project sponsor.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*,

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That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $23,710,000: *Provided*, That the Secretary of Transportation shall issue a final rule to expand the applicability of comprehensive oil spill response plans within 90 days of enactment of this Act: *Provided further*, That the amounts appropriated under this heading shall be reduced by $10,000 per day for each day that such rule has not been issued following the expiration of the period set forth in the previous proviso.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $58,000,000, of which $7,570,000 shall remain available until September 30, 2021: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided fur-*

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ther, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $165,000,000, to remain available until September 30, 2021, of which $23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $134,000,000 shall be derived from the Pipeline Safety Fund; and of which $8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141: *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call State grant program.

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EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than $28,318,000 shall remain available until September 30, 2021, from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): *Provided*, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

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OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $92,600,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating

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in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the Department's, or its operating administrations', missions.

(c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

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(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds in this Act shall be available for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter

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of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, cooperative agreement or discretionary grant unless the Secretary of Transportation provides the House and Senate Committees on Appropriations a comprehensive list of all such loans, loan guarantees, lines of credit, cooperative agreement or discretionary grants that will be announced not less the 3 full business days before such announcement: *Provided*, That the requirement to provide a list in this subsection does not apply to any "quick release" of funds from the emergency relief program: *Provided further*, That no list shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department

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of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any prior Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments: *Provided*, That amounts made available in this Act shall be available until expended; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010 and Improper Payments Elimination and Recovery Improvement Act of 2012, and Fraud Reduction and

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Data Analytics Act of 2015: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to depositing such recovery in the Treasury, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(e)(2) of Public Law 111–204.

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SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 190. The Secretary of Transportation is authorized to carry out a program that establishes uniform

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standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 191. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

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(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the "Department of Transportation Appropriations Act, 2019".

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TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,900,000, to remain available until September 30, 2020: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $541,500,000, to remain available until September 30, 2020, of which $70,400,000 shall be available for the Office of the Chief Financial Officer, (and of which $20,000,000, to remain available until September 30, 2021, shall be for the financial transformation initiative); $97,800,000 shall be available for the Office of the General Counsel, of which not less than $15,000,000 shall

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be for the Departmental Enforcement Center; $206,300,000 shall be available for the Office of Administration; $40,400,000 shall be available for the Office of the Chief Human Capital Officer; $54,300,000 shall be available for the Office of Field Policy and Management; $19,100,000 shall be available for the Office of the Chief Procurement Officer; $3,800,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,700,000 shall be available for the Office of Business Transformation; and $44,700,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided fur-*

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ther, That the Secretary shall provide in electronic form all signed reports required by Congress: *Provided further*, That not more than 10 percent of the funds made available under this heading for the Office of Chief Financial Officer for the financial transformation initiative may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that includes the financial and internal control capabilities to be delivered and the mission benefits to be realized, key milestones to be met, and the relationship between the proposed use of funds made available under this heading and the projected total cost and scope of the initiative.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $219,800,000, to remain available until September 30, 2020.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $112,344,000, to remain available until September 30, 2020.

HOUSING

For necessary salaries and expenses of the Office of Housing, $382,500,000, to remain available until Sep-

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tember 30, 2020, of which not less than $12,000,000 shall be for the Office of Recapitalization.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $26,000,000, to remain available until September 30, 2020.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $72,900,000, to remain available until September 30, 2020.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $8,600,000, to remain available until September 30, 2020.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the "Fund"), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department,

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and for such portion of any office or agency's printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided*, That of the amounts made available in this title for salaries and expenses under the headings "Executive Offices", "Administrative Support Offices", "Program Office Salaries and Expenses", and "Government National Mortgage Association", the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the matter preceding the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional $5,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for any purpose under this heading: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the matter preceding the first proviso: *Provided further*, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f).

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PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, $18,598,000,000, to remain available until expended, shall be available on October 1, 2018 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2018), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2019: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $20,313,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2019 funding cycle shall provide renewal funding for each public housing

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agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public hous-

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ing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2019: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2019 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2018 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2019

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MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $100,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD–Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allo-

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cate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $85,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental as-

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sistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act

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of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 60 days of the enactment of this Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the "Project-Based Rental Assistance" heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project

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or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso;

(3) $1,886,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD–VASH vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,856,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2019 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the

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amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $225,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administra-

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tive expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That any amounts provided under this paragraph in this Act or prior Acts, remaining available after funding renewals and administrative expenses under this paragraph, shall be available only for incremental tenant-based rental assistance contracts under such section 811 for non-elderly persons with disabilities, including necessary administrative expenses: *Provided further*, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) $4,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal

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grants to recipients that received assistance under prior Acts under the Tribal HUD–VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD–VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further*, That the Secretary may reallocate, as determined by the

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Secretary, amounts returned or recaptured from awards under prior acts;

(6) $40,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the

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Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) $20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided further*, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies

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based on need for voucher assistance in connection with such program;

(8) $25,000,000 shall be made available for the mobility demonstration authorized under section 235 of this title, of which up to $5,000,000 shall be for new incremental voucher assistance and the remainder of which shall be available to provide mobility-related services to families with children, including pre- and post-move counseling and rent deposits, and to offset the administrative costs of operating the mobility demonstration: *Provided*, That incremental voucher assistance made available under this paragraph shall be for families with children participating in the mobility demonstration and shall continue to remain available for families with children upon turnover: *Provided further*, That for any public housing agency administering voucher assistance under the mobility demonstration that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such demonstration; and

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(9) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2019 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

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PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") $2,775,000,000, to remain available until September 30, 2022: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2019, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That of the total amount made available under this heading, up to $14,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That of the total amount made available under this heading, up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this head-

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ing, not to exceed $30,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2019: *Provided further*, That of the amount made available under the previous proviso, not less than $10,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2020, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: *Provided further*, That of the total amount provided under this heading, up to $35,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of

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the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That funding provided under the previous proviso shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a and 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements

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pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2019 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $25,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of en-

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vironmental review, a grant under the previous proviso shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section.

PUBLIC HOUSING OPERATING FUND

For 2019 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,653,116,000, to remain available until September 30, 2020.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $150,000,000, to remain available until September 30, 2021: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing

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needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than $75,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education,

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Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading "Revitalization of Severely Distressed Public Housing (HOPE VI)" in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That the Secretary shall issue the Notice of Funding Availability for funds made available under this heading no later than 60 days after enactment of this Act: *Provided further*, That the Secretary shall make grant awards no later than one year from the date of enactment of this Act in such amounts that the Secretary determines: *Provided further*, That notwithstanding section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may, until September 30, 2019, obligate any available unobligated balances made available under this heading in this, or any prior Act.

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FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $80,000,000, to remain available until September 30, 2020: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under subsections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from resid-

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ual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $655,000,000, to remain available until September 30, 2023: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $7,000,000 shall be for providing training and technical assistance to Indian housing authorities and tribally designated housing entities, to support the inspection of Indian housing units, contract expertise, and for training and technical assistance related to funding provided under this heading and other headings under this Act for the needs of Native American families and Indian country:

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Provided further, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That amounts made available under the previous two provisos may be used, contracted, or competed as determined by the Secretary: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,761,989: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: *Provided further*, That for an additional amount for the Native American Housing Block Grants program, as authorized under title I of NAHASDA, $100,000,000 to remain available until September 30, 2023: *Provided further*, That the Secretary shall obligate this additional amount for competitive grants to eligible recipients au-

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thorized under NAHASDA that apply for funds: *Provided further*, That in awarding this additional amount, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation: *Provided further*, That up to 1 percent of this additional amount may be transferred, in aggregate, to "Program Office Salaries and Expenses—Public and Indian Housing" for necessary costs of administering and overseeing the obligation and expenditure of this additional amount: *Provided further*, That any funds transferred pursuant to the previous proviso shall remain available until September 30, 2024.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $1,440,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $553,846,154, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses

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including management processes and systems to carry out the loan guarantee program.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $2,000,000, to remain available until September 30, 2023: *Provided*, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts provided under this heading in investment securities and other obligations: *Provided further*, That amounts made available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $393,000,000, to remain available until September 30, 2020, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2021: *Provided*, That the Secretary shall renew

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all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,365,000,000, to remain available until September 30, 2021, unless otherwise specified: *Provided*, That of the total amount provided, $3,300,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended ("the Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, Indian tribe, or insular area that directly or indi-

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rectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $65,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES

PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019, commitments to guarantee loans under section 108 of the Housing and

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Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,250,000,000, to remain available until September 30, 2022: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the

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Housing Opportunity Program Extension Act of 1996, as amended, $54,000,000, to remain available until September 30, 2021: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments, and Indian Tribes serving high need rural communities: *Provided further*, That of the total amount provided under this heading, $4,000,000, shall be made available for a program to rehabilitate and modify the homes of disabled or low-income veterans, as authorized under section 1079 of Public Law 113–291:

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Provided further, That funds provided under the previous proviso shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds provided for such program in fiscal years 2016, 2017, and 2018 shall be awarded within 60 days of enactment of this Act.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,636,000,000, to remain available until September 30, 2021: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than $280,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than $2,219,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 shall be made available for grants for rapid re-housing

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projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, and stalking: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary shall collect system performance measures for each continuum of care, and that relative to fiscal year 2015, under the Continuum of Care competition with respect to funds made available under this heading, the Secretary shall base an increasing

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share of the score on performance criteria: *Provided further*, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and trans-

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ferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2019: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: *Provided further,* That up to $80,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities, including at least eight communities with substantial rural populations, can dramatically reduce youth homelessness: *Provided further*, That of the amount made available under the previous proviso, up to $5,000,000 shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further,* That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to pro-

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vide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, $11,347,000,000, to remain available until expended, shall be available on October 1, 2018 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2018), and $400,000,000, to remain available until expended, shall be available on October 1, 2019: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal

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of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $245,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2));

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project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

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HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $678,000,000, to remain available until September 30, 2022: *Provided*, That of the amount provided under this heading, up to $90,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That

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upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September 30, 2022: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals in addition to the purposes for which such funds originally were appropriated: *Provided further*, That of the total amount provided under this heading, $10,000,000, shall be for a program to be established by the Secretary to make grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs to meet the needs of low-income elderly persons to enable them to remain in their primary residence: *Provided further*, That of the total amount made available under the previous proviso, no less

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than $5,000,000 shall be available to meet such needs in communities with substantial rural populations.

HOUSING FOR PERSONS WITH DISABILITIES

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $184,155,000, to remain available until September 30, 2022, of which $30,155,000 shall be for capital advance and project rental assistance awards: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related ac-

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tivities associated with section 811 projects: *Provided further*, That, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September 30, 2022: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for amendments and renewals in addition to the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $50,000,000, to remain available until September 30, 2020, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded

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within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $5,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after

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fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $12,000,000, to remain available until expended, of which $12,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2019 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect

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fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2020: *Provided*, That during fiscal year 2019, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $1,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Hous-

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ing Administration, $130,000,000, to remain available until September 30, 2020: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2019, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000: *Provided further*, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), during fiscal year 2019 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero: *Provided further*, That for fiscal year 2019, the Secretary shall not take any action against a lender solely on the basis of compare ratios that have been adversely affected by defaults on mortgages secured by properties in areas where a major disaster was declared in 2017 or 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

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GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2020: *Provided*, That during fiscal year 2019, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $1,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $550,000,000,000, to remain available until September 30, 2020: *Provided*, That $27,000,000, to remain available until September 30, 2020, shall be for necessary salaries and expenses of the Office of Government National

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Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2019, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $96,000,000, to remain available until September 30, 2020: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 203 of

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this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, State or local governments and their agencies, or colleges or universities for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil

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Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2020: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to develop on-line courses and provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $279,000,000, to remain

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available until September 30, 2020, of which $45,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than $95,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: *Provided further*, That $64,000,000 of the funds appropriated under this heading shall be for the implementation of projects to demonstrate how intensive, extended multi-year interventions can dra-

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matically reduce the presence of lead-based paint hazards in communities containing high concentrations of both pre-1940 housing and low-income families by achieving economies of scale that substantially reduce the cost of lead-based paint remediation activities and administrative costs for grantees: *Provided further*, That such projects in each of seven communities shall be for five years and serve no more than four contiguous census tracts in which there are high concentrations of housing stock built before 1940, in which low-income families with children make up a significantly higher proportion of the population as compared to the State average, and that are located in jurisdictions in which instances of elevated blood lead levels reported to the State are significantly higher than the State average: *Provided further*, That funding awarded for such projects shall be made available for draw down contingent upon the grantee meeting cost-savings, productivity, and grant compliance benchmarks established by the Secretary: *Provided further*, That each recipient of funds for such projects shall contribute an amount not less than 10 percent of the total award, and that the Secretary shall give priority to applicants that secure commitments for additional contributions from public and private sources: *Provided further*, That grantees currently receiving grants made under this heading shall be eligible to

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apply for such projects, provided that they are deemed to be in compliance with program requirements established by the Secretary: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $280,000,000, of which $260,000,000 shall remain available until September 30, 2020, and of which $20,000,000 shall remain available until September 30, 2021: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*,

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That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the Department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the Department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $128,082,000: *Provided*, That

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the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

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SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2019 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank

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within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 205. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2019 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty

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operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 208. The President's formal budget request for fiscal year 2020, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 209. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 210. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2019 and 2020, the Secretary of Housing and Urban Development may authorize the transfer of

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some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

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(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

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(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations

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are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms "low-income" and "very low-income" shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term "multifamily housing project" means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

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(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term "project-based assistance" means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

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(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term "receiving project or projects" means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term "transferring project" means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 211. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

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(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

(8) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965

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(20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 212. The funds made available for Native Alaskans under the heading "Native American Housing Block Grants" in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 213. Notwithstanding any other provision of law, in fiscal year 2019, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8

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or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 214. The commitment authority funded by fees as provided under the heading "Community Development Loan Guarantees Program Account" may be used to guar-

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antee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 215. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 216. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs

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pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 217. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts "Executive Offices" and "Administrative Support Offices," as well as each account receiving appropriations under the general heading "Program Office Salaries and Expenses", "Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account", and "Office of Inspector General" within the Department of Housing and Urban Development.

SEC. 218. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2019,

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notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2019, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 219. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 220. The Secretary is authorized to transfer up to 10 percent or $5,000,000, whichever is less, of funds appropriated for any office under the heading "Administrative Support Offices" or for any account under the gen-

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eral heading "Program Office Salaries and Expenses" to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or $5,000,000, whichever is less.

SEC. 221. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the "Secretary"), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 60 or less; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety de-

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ficiencies identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

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(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, trans-

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fer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

(1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA''); and

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing

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housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

This report shall be due to the Senate and House Committees on Appropriations no later than 30 days after the enactment of this Act, and on the first business day of each Federal fiscal year quarter thereafter while this section remains in effect.

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SEC. 222. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2019.

SEC. 223. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 224. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 225. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the

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Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 226. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 227. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

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SEC. 228. None of the funds provided in this Act or any other act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this or the prior fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative discipline or after any final decision overturning such discipline.

SEC. 229. Funds made available in this title under the heading "Homeless Assistance Grants" may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2019: *Provided*, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.

SEC. 230. With respect to grant amounts awarded under the heading "Homeless Assistance Grants" for fiscal years 2015, 2016, 2017, 2018 and 2019 for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assist-

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ance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipient's CoC program.

SEC. 231. (a) From amounts made available under this title under the heading "Homeless Assistance Grants", the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) No more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded.

(c) Transition grants made under this section are eligible for renewal in subsequent fiscal years for the eligible activities of the new program component.

(d) In order to be eligible to receive a transition grant, the funding recipient must have the consent of the Continuum of Care and meet standards determined by the Secretary.

SEC. 232. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying

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out the final rule entitled "Affirmatively Furthering Fair Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled "Affirmatively Furthering Fair Housing Assessment Tool" (79 Fed. Reg. 57949 (September 26, 2014)).

SEC. 233. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, 2019, 2020, or 2021 under that section. Section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdiction's HOME Investment Trust Fund in 2018, 2019, 2020, or 2021 under that section.

SEC. 234. Amounts made available in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7) under the heading "Indian Housing Loan Guarantee Fund Program Account" for necessary expenses of the Land Title Report Commission are rescinded.

SEC. 235. (a) AUTHORITY.—The Secretary of Housing and Urban Development (in this section referred to as the "Secretary") may carry out a mobility demonstra-

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tion program to enable public housing agencies to administer housing choice voucher assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in a manner designed to encourage families receiving such voucher assistance to move to lower-poverty areas and expand access to opportunity areas.

(b) SELECTION OF PHAS.—

(1) REQUIREMENTS.—The Secretary shall establish requirements for public housing agencies to participate in the demonstration program under this section, which shall provide that the following public housing agencies may participate:

(A) Public housing agencies that together—

(i) serve areas with high concentrations of holders of rental assistance vouchers under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in poor, low-opportunity neighborhoods; and

(ii) have an adequate number of moderately priced rental units in higher-opportunity areas.

(B) Planned consortia or partial consortia of public housing agencies that—

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(i) include at least one agency with a high-performing Family Self-Sufficiency (FSS) program; and

(ii) will enable participating families to continue in such program if they relocate to the jurisdiction served by any other agency of the consortium.

(C) Planned consortia or partial consortia of public housing agencies that—

(i) serve jurisdictions within a single region;

(ii) include one or more small agencies; and

(iii) will consolidate mobility focused operations.

(D) Such other public housing agencies as the Secretary considers appropriate.

(2) SELECTION CRITERIA.—The Secretary shall establish competitive selection criteria for public housing agencies eligible under paragraph (1) to participate in the demonstration program under this section.

(3) RANDOM SELECTION OF FAMILIES.—The Secretary may require participating agencies to use a randomized selection process to select among the

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families eligible to receive mobility assistance under the demonstration program.

(c) REGIONAL HOUSING MOBILITY PLAN.—The Secretary shall require each public housing agency applying to participate in the demonstration program under this section to submit a Regional Housing Mobility Plan (in this section referred to as a "Plan"), which shall—

(1) identify the public housing agencies that will participate under the Plan and the number of vouchers each participating agency will make available out of their existing programs in connection with the demonstration;

(2) identify any community-based organizations, nonprofit organizations, businesses, and other entities that will participate under the Plan and describe the commitments for such participation made by each such entity;

(3) identify any waivers or alternative requirements under subparagraph (e) requested for the execution of the Plan;

(4) identify any specific actions that the public housing agencies and other entities will undertake to accomplish the goals of the demonstration, which shall include a comprehensive approach to enable a successful transition to opportunity areas and may

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include counseling and continued support for families;

(5) specify the criteria that the public housing agencies would use to identify opportunity areas under the plan;

(6) provide for establishment of priority and preferences for participating families, including a preference for families with young children, as such term is defined by the Secretary, based on regional housing needs and priorities; and

(7) comply with any other requirements established by the Secretary.

(d) FUNDING FOR MOBILITY-RELATED SERVICES.—

(1) USE OF ADMINISTRATIVE FEES.—Public housing agencies participating in the demonstration program under this section may use administrative fees under section 8(q) of the United States Housing Act of 1937 (42 U.S.C. 1437f(q)), their administrative fee reserves, and funding from private entities to provide mobility-related services in connection with the demonstration program, including services such as counseling, portability coordination, landlord outreach, security deposits, and administrative activities associated with establishing and operating regional mobility programs.

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(2) USE OF HOUSING ASSISTANCE FUNDS.—Public housing agencies participating in the demonstration under this section may use housing assistance payments funds under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for security deposits if necessary to enable families to lease units with vouchers in designated opportunity areas.

(e) WAIVERS; ALTERNATIVE REQUIREMENTS.—

(1) WAIVERS.—To allow for public housing agencies to implement and administer their Regional Housing Mobility Plans, the Secretary may waive or specify alternative requirements for the following provisions of the United States Housing Act of 1937:

(A) Sections 8(o)(7)(A) and 8(o)(13)(E)(i) (relating to the term of a lease and mobility requirements).

(B) Section 8(o)(13)(C)(i) (relating to the public housing plan for an agency).

(C) Section 8(r)(2) (relating to the responsibility of a public housing agency to administer ported assistance).

(2) ALTERNATIVE REQUIREMENTS FOR CONSORTIA.—The Secretary shall provide alternative ad-

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ministrative requirements for public housing agencies in a selected region to—

(A) form a consortium that has a single housing choice voucher funding contract; or

(B) enter into a partial consortium to operate all or portions of the Regional Housing Mobility Plan, which may include agencies participating in the Moving To Work Demonstration program.

(3) EFFECTIVE DATE.—Any waiver or alternative requirements pursuant to this subsection shall not take effect before the expiration of the 10-day period beginning upon publication of notice of such waiver or alternative requirement in the Federal Register.

(f) IMPLEMENTATION.—The Secretary may implement the demonstration, including its terms, procedures, requirements, and conditions, by notice.

(g) EVALUATION.—Not later than five years after implementation of the regional housing mobility programs under the demonstration program under this section, the Secretary shall submit to the Congress and publish in the Federal Register a report evaluating the effectiveness of the strategies pursued under the demonstration, subject to the availability of funding to conduct the evaluation.

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Through official websites and other methods, the Secretary shall disseminate interim findings as they become available, and shall, if promising strategies are identified, notify the Congress of the amount of funds that would be required to expand the testing of these strategies in additional types of public housing agencies and housing markets.

(h) TERMINATION.—The demonstration program under this section shall terminate on October 1, 2028.

SEC. 236. Section 221 of the Department of Housing and Urban Development Appropriations Act, 2015 (42 U.S.C. 1437f–1; Public Law 113–235; 128 Stat 2754) is repealed.

SEC. 237. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant to such designations, made by the Secretary of Housing and Urban Development in prior fiscal years, shall remain in effect in accordance with the terms and conditions of such agreements.

SEC. 238. None of the funds made available by this Act may be used to establish and apply review criteria, including rating factors or preference points, for participation in or coordination with EnVision Centers, in the evaluation, selection, and award of any funds made available and requiring competitive selection under this Act, except

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with respect to any such funds otherwise authorized for EnVision Center purposes under this Act.

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2019".

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TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,400,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $27,490,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

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NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,274,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Pro-*

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vided further, That concurrent with the President's budget request for fiscal year 2020, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2020 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $110,400,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities,

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as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $150,000,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That an additional $2,000,000, to remain available until September 30, 2023, shall be for the promotion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,100,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2019, to result in a final appropriation from the general fund estimated at no more than $35,850,000.

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UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,600,000: *Provided*, That the first proviso in Public Law 115–141 under the heading "United States Interagency Council on Homelessness—Operating Expenses" is amended by striking "2020" and inserting "2028".

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TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

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(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be

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available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the joint explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later

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than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in this Act, the table accompanying the explanatory statement accompanying this Act, accompanying reports of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for

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which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations; and

(C) an identification of items of special congressional interest.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway

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projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge

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for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 8301–8305, popularly known as the "Buy American Act").

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 8301–8305).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is

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party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

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SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 417. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 418. (a) None of the funds made available in this Act may be used to deny an Inspector General funded

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under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 419. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has

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been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

SEC. 420. For an additional amount for the "Railroad Rehabilitation and Improvement Financing Program" account for the cost of modifications, as defined by section 502 of the Federal Credit Reform Act of 1990, of direct loans issued pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, and included in cohort 1, as defined by the Department of Transportation's memorandum to the Office of Management and Budget dated November 5, 2018, $17,000,000, to remain available until expended: *Provided*, That, for a direct loan included in cohort 1, as defined in the memorandum described in the previous proviso, that has satisfied all obligations attached to such loan, the Secretary shall repay the credit risk premiums of such loan, with interest accrued thereon, not later than 60 days after the enactment of this Act or, for a direct loan included in co-

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hort 1 with obligations that have not yet been satisfied, not later than 60 days after the date on which all obligations attached to such loan have been satisfied.

SEC. 421. Section 127(l) of title 23, United States Code, is amended by adding at the end the following:

"(3) ADDITIONAL HIGHWAY SEGMENTS.—

"(A) IN GENERAL.—If any segment of highway described in clause (i) or (ii) of this subparagraph is designated as a route of the Interstate System, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a), except that such vehicle shall not exceed a gross vehicle weight of 120,000 pounds. The highway segments referred to in this paragraph are as follows:

"(i) The William H. Natcher Parkway (to be designated as a spur of Interstate Route 65) from Interstate Route 65 in Bowling Green, Kentucky, to United States Route 60 in Owensboro, Kentucky.

"(ii) The Julian M. Carroll (Purchase) Parkway (to be designated as Interstate Route 69) in Kentucky from the Ten-

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nessee state line to the interchange with Interstate Route 24, near Calvert City.

"(B) NONDIVISIBLE LOAD OR VEHICLE.—Nothing in this paragraph shall prohibit the State from issuing a permit for a nondivisible load or vehicle with a gross vehicle weight that exceeds 120,000 pounds.".

SEC. 422. Section 127(s) of title 23, United States Code, is amended—

(1) by striking the subsection heading and inserting the following: "(s) NATURAL GAS AND ELECTRIC BATTERY VEHICLES";

(2) by inserting "or powered primarily by means of electric battery power" after the first time "natural gas" appears;

(3) by striking "any vehicle weight limit" and inserting "the weight limit on the power unit by up to 2,000 pounds"; and

(4) by striking all that follows after "under this section" and inserting a period after "section".

SEC. 423. Section 31112(c) of title 49, United States Code, is amended—

(1) in the subsection heading by striking "AND KANSAS" and inserting "KANSAS, AND OREGON";

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(2) in paragraph (4) by striking "and" at the end;

(3) in paragraph (5) by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

"(6) Oregon may allow the operation of a truck tractor and 2 property-carrying units not in actual lawful operation on a regular or periodic basis on June 1, 1991, if—

"(A) the length of the property-carrying units does not exceed 82 feet 8 inches;

"(B) the combination is used only to transport sugar beets; and

"(C) the operation occurs on United States Route 20, United States Route 26, United States Route 30, or Oregon Route 201 in the vicinity, or between any, of—

"(i) Vale, Oregon;

"(ii) Ontario, Oregon; or

"(iii) Nyssa, Oregon.".

This division may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019".

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DIVISION H—EXTENSIONS, TECHNICAL CORRECTIONS, AND OTHER MATTERS

TITLE I

IMMIGRATION EXTENSIONS

SEC. 101. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) shall be applied by substituting "September 30, 2019" for "September 30, 2015".

SEC. 102. Subclauses 101(a)(27)(C)(ii)(II) and (III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by substituting "September 30, 2019" for "September 30, 2015".

SEC. 103. Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) shall be applied by substituting "September 30, 2019" for "September 30, 2015".

SEC. 104. Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall be applied by substituting "September 30, 2019" for "September 30, 2015".

SEC. 105. Notwithstanding the numerical limitation set forth in section 214(g)(1)(B) of the Immigration and

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Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of Homeland Security, after consultation with the Secretary of Labor, and upon the determination that the needs of American businesses cannot be satisfied in fiscal year 2019 with United States workers who are willing, qualified, and able to perform temporary nonagricultural labor, may increase the total number of aliens who may receive a visa under section 101(a)(15)(H)(ii)(b) of such Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in such fiscal year above such limitation by not more than the highest number of H–2B nonimmigrants who participated in the H–2B returning worker program in any fiscal year in which returning workers were exempt from such numerical limitation.

TITLE II

TECHNICAL CORRECTIONS

SEC. 201. (a) Section 3(20)(B) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(20)(B)), as amended by section 7 of the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115–224), is amended by inserting ", except that, for the purpose of section 132, the term 'recognized postsecondary credential' as used in this subparagraph shall not include a baccalaureate degree" after "associate degree".

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(b) The amendment made by subsection (a) shall take effect on July 1, 2019, as if included in the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115–224).

SEC. 202. Section 243 of title II of division C of Public Law 115–244 is amended by inserting "248" after "section".

SEC. 203. Section 177 of division C of Public Law 114–223, as amended by Public Law 114–254, is amended by inserting "and the 116th Congress" after "the 115th Congress" in each instance it appears.

SEC. 204. (a) During fiscal year 2019 and each succeeding fiscal year, amounts appropriated or otherwise made available for the Architect of the Capitol under the heading "House Office Buildings" may be transferred to the House of Representatives and merged with and made available under the heading "Allowances and Expenses", subject to the approval of the Committee on Appropriations of the House of Representatives.

(b) The period of availability of any amounts transferred to the House of Representatives under this section shall be the same period of availability applicable to such amounts as appropriated for the Architect of the Capitol.

(c) The aggregate amount transferred under this section in any fiscal year may not exceed $30,000,000.

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SEC. 205. (a) Section 1781 of the Export Control Reform Act of 2018 (50 U.S.C. 4851) is amended—

(1) by redesignating subsections (a), (b), and (c) as subsections (b), (c), and (d), respectively;

(2) in subsection (b), as so redesignated, in the subsection heading, by striking "IN GENERAL" and inserting "REFERENCE"; and

(3) by inserting before subsection (b), as so redesignated, the following:

"(a) UNDER SECRETARY OF COMMERCE FOR INDUSTRY AND SECURITY.—The President shall appoint, by and with the advice and consent of the Senate, an Under Secretary of Commerce for Industry and Security, who shall carry out—

"(1) all functions of the Secretary under this subtitle; and

"(2) all functions delegated to the Under Secretary of Commerce for Export Administration on the day before the date of the enactment of this Act.".

(b) Part III of the Export Control Reform Act of 2018 (50 U.S.C. 4851) is amended by adding at the end the following:

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"SEC. 1782. ASSISTANT SECRETARIES OF COMMERCE.

"(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, two Assistant Secretaries of Commerce to assist the Under Secretary of Commerce for Industry and Security in carrying out the functions described in paragraphs (1) and (2) of section 1781(a).

"(b) CONTINUATION IN OFFICE OF ONE ASSISTANT SECRETARY.—An individual appointed as an Assistant Secretary of Commerce under section 15(a) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) and serving in that position on the day before the date of the enactment of this Act may serve in one of the Assistant Secretary positions established under subsection (a) on and after that date without the need for renomination or reappointment.".

(c) The table of contents for title XVII of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by inserting after the item relating to section 1781 the following:

"Sec. 1782. Assistant Secretaries of Commerce.".

(d) The amendments made by this section shall take effect as if included in the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

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TITLE III

BUDGETARY EFFECTS

SEC. 301. (a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

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February 13, 2019 (7:53 p.m.)
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And the Senate agree to the same.

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Managers on the part of the
HOUSE

NITA LOWEY

LUCILLE ROYBAL-ALLARD

DAVID E. PRICE

BARBARA LEE

HENRY CUELLAR

PETE AGUILAR

KAY GRANGER

CHARLES FLEISCHMANN

TOM GRAVES

STEVEN M. PALAZZO

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H. J. Res. 31—Continued

Managers on the part of the HOUSE	*Managers on the part of the* SENATE
	Richard Shelby Mr. SHELBY
	Shelley Moore Capito Mrs. CAPITO
	John Hoeven Mr. HOEVEN
	Roy Blunt Mr. BLUNT
	Mr. LEAHY
	Mr. DURBIN
	Mr. TESTER

AMERICAN OVERSIGHT

H. J. Res. 31—Continued

Managers on the part of the HOUSE	*Managers on the part of the* SENATE
	Mr. SHELBY
	Mrs. CAPITO
	Mr. HOEVEN
	Mr. BLUNT
	Mr. LEAHY Patrick Leahy * Except for Section 7 and Section 8 and Detention Led Funding
	Mr. DURBIN Richard J. Durbin *
	Mr. TESTER Jon Tester

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EXPLANATORY STATEMENT SUBMITTED BY MRS. LOWEY,

CHAIRWOMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS

REGARDING H.J. RES. 31

CONSOLIDATED APPROPRIATIONS ACT, 2019

The following is an explanation of the Consolidated Appropriations Act, 2019.

This Act includes 7 regular appropriations bills for fiscal year 2019. The divisions contained in the Act are as follows:

- Division A – Department of Homeland Security Appropriations Act, 2019
- Division B – Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019
- Division C – Commerce, Justice, Science, and Related Agencies Appropriations Act, 2019
- Division D – Financial Services and General Government Appropriations Act, 2019
- Division E – Department of the Interior, Environment, and Related Agencies Appropriations Act, 2019

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- Division F – Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019
- Division G – Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019
- Division H – Extensions, Technical Corrections, and Other Matters

Section 1 of the Act is the short title of the bill.

Section 2 of the Act displays a table of contents.

Section 3 of the Act states that, unless expressly provided otherwise, any reference to "this Act" contained in any division shall be treated as referring only to the provisions of that division.

Section 4 of the Act provides a statement of appropriations.

Section 5 of the Act states that each amount designated by Congress as being for Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) is contingent on the President so designating all such OCO/GWOT amounts and transmitting such designations to Congress. The provision is consistent with the requirements in the Budget Control Act of 2011.

Section 6 of the Act provides for adjustments to compensation.

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Section 7 of the Act makes a technical correction to amend the heading and short title of Division O of the Consolidated Appropriations Act, 2018 (Public Law 115-141) to be cited as the "Stephen Sepp Wildfire Suppression Funding and Forest Management Activities Act".

The Act does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined by clause 9 of rule XXI of the Rules of the House of Representatives.

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DIVISION A — DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019

The following is an explanation of Division A, which makes appropriations for the Department of Homeland Security (DHS) for fiscal year 2019. Funding provided in this conference agreement not only sustains existing programs that protect the nation from all manner of threats, it ensures DHS's ability to improve preparedness at the federal, state, and local levels, to prevent and respond to terrorist attacks, and to hire, train, and equip DHS frontline forces protecting the homeland.

The language set forth in Senate Report 115–283 carries the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in the conference agreement or in this joint explanatory statement. While the statement repeats some language for emphasis, it does not negate any language in the Senate report unless expressly stated. Direction contained in Senate Report 115–283 related to the non-pay component of "Operations and Support" appropriations may be used by DHS as guidance. When this explanatory statement refers to the Committees or the Committees on Appropriations, these references are to the House Appropriations Subcommittee on Homeland Security and the Senate Appropriations Subcommittee on Homeland Security.

This explanatory statement refers to certain laws, organizations, persons, funds, and documents as follows: the Budget Control Act of 2011, Public Law 112–25, is referenced as the BCA; the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110–53, is referenced as the 9/11 Act; the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, is referenced as the Stafford Act; the Department of Homeland Security is referenced as DHS or the Department; the Government Accountability Office is referenced as GAO; and the Office of Inspector General of the Department of Homeland Security is referenced as OIG. In addition, "full-time equivalents" are referred to as FTE; "full-time positions" are referred to as FTP; "Information Technology" is referred to as IT; the DHS "Working Capital Fund" is referred to as WCF; "program, project, and activity" is referred to as PPA; any reference to "the Secretary" should be interpreted to mean the Secretary of Homeland Security; "component" should be interpreted to mean an agency, administration, or directorate within the Department of Homeland Security; any reference to CAS shall mean common appropriations Structure; any reference to SLTT should be interpreted to mean State, Local, Tribal, and territorial; and "budget request" or "the request" should be interpreted to mean the budget of the U.S. Government for fiscal year 2019 that was submitted to Congress on February 12, 2018.

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Classified Programs

Recommended adjustments to classified programs are addressed in a classified annex to this joint explanatory statement.

TITLE I—DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

OPERATIONS AND SUPPORT

The conference agreement includes an increase for Operations and Support of $12,521,000 above the budget request, including increases of: $4,487,000 for the Office for Civil Rights and Civil Liberties, of which $750,000 is for the Compliance Branch; $2,120,000 for the Immigration Data Integration Initiative; $1,638,000 for the Blue Campaign to continue direct funding for personnel; $321,000 for the Office of the Citizenship and Immigration Services Ombudsman; and $1,261,000 for the Privacy Office. The conferees provide $700,000 for the Office of General Counsel to support an increase in staffing. The total also reflects increases above the request of $4,111,000 to sustain fiscal year 2018 operational levels, $2,312,000 for increased rent, and $1,177,000 for the 2019 pay raise.

The Secretary is directed to provide a monthly report, to be made public on the Department's website, on family separations, referrals for prosecution, family unit detention, referral of minors to the Office of Refugee Resettlement, and removals, as detailed in Senate Report 115–283. The report shall also include data on the total number of referrals for prosecution, as described in House Report 115–948.

The Office of Terrorism Prevention Partnerships is directed to brief the Committees, within 90 days of the date of enactment of this Act, on efforts to combat domestic extremism and terrorist radicalization, as described in House Report 115–948.

The Office of Civil Rights and Civil Liberties shall ensure that complainants receive information within 30 days of the completion of an investigation regarding its outcome, as described in House Report 115–948.

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The Department shall update the Committees on the implementation and oversight of DHS Policy Directive 047-02, related to cell site simulators by the Department and its state and local partners.

The conference agreement includes a provision requiring the continued submission and publication of the Department's annual Visa Overstay Report and border security metrics. The Department is also reminded of its requirement to submit findings related to the Blue Campaign, as directed in House Report 115–948.

As described in House Report 115–948, the Department is directed to continue its semi-annual updates on the Public Complaint and Feedback System Working Group. In addition, the Department is directed to sustain the Blue Campaign at not less than its total fiscal year 2016 level of $5,150,000 in fiscal year 2019 using component contributions to cover non-personnel program costs. The Department shall account for and propose full, direct funding for the program in the justification materials that accompany all future budget submissions, as directed in the explanatory statement accompanying Public Law 115–31.

In accordance with the explanatory statement accompanying the Consolidated Appropriations Act, 2018 (Public Law 115–141), the Department recently briefed the Committees on efforts to understand the homeland security needs of rural communities, and the Deputy Assistant Secretary for Intergovernmental Affairs has been given the responsibility for on-going stakeholder engagement. The Department is directed to brief the Committees not later than 60 days after the date of enactment of this Act on current priorities and focus areas related to rural communities.

MANAGEMENT DIRECTORATE

OPERATIONS AND SUPPORT

The conference agreement includes an increase for Operations and Support of $249,133,000 above the budget request, including increases of: $4,631,000 for the 2019 pay raise; $2,500,000 for increased costs to support the National Finance Center; $3,100,000 for the Cybersecurity Internship Program within the Office of the Chief Information Officer (OCIO); and $12,000,000 for Data Center Optimization. The bill includes a reduction below the request of $879,000 for the Joint Wireless Program Management Office to reflect updated estimates for personnel.

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Additionally, $230,808,000 is provided for the Office of Biometric Identity Management (OBIM), which is funded within the Management Directorate in accordance with the *Cybersecurity and Infrastructure Security Agency Act of 2018* (Public Law 115–278). The Department is directed to brief the Committees, not later than 120 days after the date of enactment of this Act, on the progress of OBIM's transition to the Management Directorate, including an overall status update on OBIM.

The Department is expected to continue working with the Committees on the structure and content of budget justification materials, and is directed to brief the Committees within 90 days of the date of enactment of this Act on plans for improving the presentation of the fiscal year 2021 budget. The Department is expected to refrain from initiating new programs, projects, or activities for which funds have not been provided in an appropriations act, either explicitly or based on a funding request, if such programs, projects, or activities would have significant resource requirements beyond the budget year. When emergent circumstances otherwise require the initiation of significant new programs or projects, the Department is directed to provide advance notification to the Committees, along with a justification for why such activities are required.

The Department shall continue to submit quarterly obligation plans, which provide transparency to Congress and departmental leadership on the status of activities and programs. In lieu of the direction in House Report 115–948 regarding submission of obligation plans under a continuing funding resolution, the Department is directed to report the amounts actually executed in the first quarter against the apportionment level for each component for the first quarter. Beginning with the second quarter, the Department shall submit plans showing planned and actual obligations by quarter.

Section 101 of this Act requires the Department's submission of a monthly budget and staffing report every 30 days after the last day of each month. In order to provide flexibility at the end of the fiscal year, the Department is directed to submit the October 2019 report to the Committees not later than December 30, 2019. The Department is also reminded that these reports are to be posted on the Department's website.

OCIO and Office of the Chief Human Capital Officer are directed to update the Committees on the status of their cyber related initiatives as described in House Report 115–948.

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The Office of Chief Procurement Officer is directed to support the newly created Countering Weapons of Mass Destruction Office with procurement review and guidance as it solidifies program consolidation from the legacy Office of Health Affairs and Domestic Nuclear Detection Office. As directed by House Report 115–948, the Department shall assess the feasibility of establishing a unified headquarters for U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement operational components in South Texas; provide a report, within 180 days of enactment, detailing internal procedures to avoid the purchase of "essentially the same" items in violation of the Javits Wagner O'Day Act; brief the Committees on an implementation plan for field efficiencies; explore firing range solutions for components; provide quarterly briefings on summary ratings for all Level 1 and 2 acquisition programs; and direct components to report to the Office of the Chief Financial Officer (OCFO) on obligations and expenditures.

With the adoption of a common appropriations structure, the Department is now poised to standardize its periods of availability (POAs) to allow for more consistent planning, programming, budgeting, and execution for three of the four major appropriation account types: Operations and Support (O&S); Procurement, Construction, and Improvements (PC&I); and Research and Development (R&D). With limited exception, the O&S accounts shall have one year of availability; the PC&I accounts shall have five years of availability for construction and three years for all other activities; and the R&D accounts shall have two years of availability. As part of future budget requests, the Department shall thoroughly justify any necessary deviation from these POAs, to include a description of the specific negative impacts that would result from a shorter POA.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement provides $120,000,000 for headquarters consolidation at the St. Elizabeths campus. The Office of the Chief Readiness Support Officer is directed to brief the Committees on an updated consolidation schedule and obligation plan as described in House Report 115–948.

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

OPERATIONS AND SUPPORT

The conference agreement provides a total of $253,253,000 for Intelligence, Analysis, and Operations Coordination Operations and Support, of which $78,299,000 is available until September 30, 2020.

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OFFICE OF INSPECTOR GENERAL

OPERATIONS AND SUPPORT

A total of $168,000,000 is provided for operations and support for the Office of Inspector General (OIG), which is in addition to $25,000,000 in supplemental funding provided to the OIG in the Bipartisan Budget Act of 2018 (Public Law 115–123) for oversight of major disasters that occurred in 2017.

The OIG is directed to review ICE's implementation and oversight of the 287(g) program, including training, data collection, civil liberties protections, and complaint processes. The OIG shall also continue its program of unannounced inspections of immigration detention facilities and publish the results of the inspections and other reports related to custody operations activities on its public website. As the OIG continues to conduct unannounced inspections of detention facilities, it is directed to pay particular attention to the health needs of detainees.

Within 90 days of the date of enactment of this Act, the Inspector General shall report to the Committees on the implementation of, and any interagency coordination associated with, the previous policy of separating migrant families; the Executive Order issued on June 20, 2018, entitled "Affording Congress an Opportunity to Address Family Separation;" and efforts made to reunify families separated under the previous family separation policy.

The OIG is responsible for conducting annual audits of DHS fleet management practices and shall make the results for non-law enforcement sensitive components publicly available.

TITLE I—ADMINISTRATIVE PROVISIONS – THIS ACT

Section 101. The conference agreement continues a provision requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 30 days after the close of each month.

Section 102. The conference agreement continues a provision requiring the Inspector General to review grants and contracts awarded by means other than full and open competition and report the results to the Committees.

Section 103. The conference agreement continues a provision directing the Secretary to require contracts providing award fees to link such fees to successful acquisition outcomes.

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Section 104. The conference agreement continues a provision requiring the Secretary, in conjunction with the Secretary of the Treasury, to notify the Committees of any proposed transfers from the Department of Treasury Forfeiture Fund to any agency at DHS. No funds may be obligated prior to such notification.

Section 105. The conference agreement continues a provision related to official travel costs of the Secretary and Deputy Secretary.

Section 106. The conference agreement continues a provision requiring the Secretary to submit a report on visa overstay data and to post border security metrics on the Department's website.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

OPERATIONS AND SUPPORT

The conference agreement provides $12,179,729,000 for Operations and Support of U.S. Customs and Border Protection (CBP). This funding level includes an increase of $60,086,000 above the request to include the following: $58,710,000 to hire 600 new CBP Officers (CBPOs) and encourages CBP to use available fee funding to hire additional new CBPOs; $1,000,000 for rescue beacons; $5,000,000 for innovative technology; $5,797,000 for laboratory personnel for opioid detection; $2,500,000 for equipment for field labs for opioid detection; $5,000,000 for counter-network operations at the National Targeting Center; $15,000,000 for port of entry technology for opioid detection; $1,000,000 for Carrizo cane control efforts; $23,492,000 to annualize the cost of CBP officers hired in fiscal year 2018; $2,000,000 for canine team personnel for opioid detection; $1,600,000 for support staff for opioid detection; $10,000,000 for Air and Marine Operations (AMO) unmanned UAS contracts and other activities required to increase flying hours; $192,700,000 for improved medical care, transportation, and consumables to better ensure the health and safety of migrants who are temporarily in CBP custody; $157,480,000 for denial of the proposed travel processing fee changes; $2,000,000 for the Office of Trade to enhance targeting activities; and $128,386,000 to support the 2019 pay raise. Funding is provided to sustain the current level of Border Patrol Agents. The agreement provides $28,600,000 for CBP recruitment and applicant processing, a reduction of $17,600,000 from the request, and $20,000,000 for Border Patrol relocation and retention, a reduction of $15,098,000 from the request. The conferees provide an increase of $20,000,000 for the expansion of the National Targeting Center, a decrease of $6,896,000 from the request.

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Additionally, the agreement includes a decrease of $35,000,000 from Border Patrol vehicle recapitalization.

Following the recent deaths of migrants in custody, CBP promulgated new interim standard operating procedures to improve the agency's awareness of migrant welfare and response to emergency situations. CBP is directed to brief the Committees, within 60 days of the date of enactment of this Act, on its progress in establishing more permanent plans, standards, and protocols, to include the following: health assessment standards and response protocols for medical emergencies, including transportation between CBP locations and to hospitals or other medical response sites; requirements for ensuring that CBP provides water, nutrition, hygiene, and sanitation needs of migrants in temporary CBP custody; standards for temporary holding facilities that ensure such facilities are humane and used appropriately for single adults, families, and unaccompanied children; protocols for responding to surges in migrants crossing the border; and a plan for providing training to federal and contract personnel who interact with migrants in CBP custody. As part of the briefing, CBP shall also present a schedule for finalizing and implementing these plans, protocols, and standards; estimates of the associated short-term and longer-term funding requirements; and any changes to legal authorities that might be necessary. To facilitate these additional requirements, the conferees provide $192,700,000 above the request to include $128,000,000 for contract medical professionals, $40,200,000 for increased consumable commodities such as food, infant formula and diapers; and $24,500,000 for increased transportation between CBP facilities.

When CBP is responsible for the custody of siblings who are unaccompanied alien children, the Commissioner shall, to the extent practicable and when it is in the best interest of the children, place such siblings in the same facility and keep such siblings together before the Department of Health and Human Services assumes custody pursuant to 8 U.S.C. 1232(b). When considering whether a family should remain together while in custody, the Commissioner should consider the criminal history of the parent, safety and comfort of the child, immigration history, and physical and mental health of all members of the family. DHS is directed to ensure, when appropriate and feasible, that separated family units are reunited and transferred together prior to removal, release from CBP custody, or transfer to Immigration and Customs Enforcement custody.

As directed in the explanatory statement accompanying Public Law 115-141, CBP shall continue to brief the Committees quarterly on its progress toward the development of a comprehensive assessment of CBP-wide capability gaps, to include personnel, and directs CBP to brief monthly on efforts to develop and utilize a Border Patrol workforce staffing model and to continue these briefings until the model is mature and used to allocate personnel.

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Also as directed in the explanatory statement accompanying Public Law 115–141, CBP shall continue to post to its website a combined table of CBP interdictions of currency and major categories of drugs, delineated by seizures at and between the Ports of Entry (POEs), and at checkpoints.

As previously directed in House Report 115–239, CBP shall continue to report to the Committees the following: the number of detainees held by CBP for more than 48 and 72 hours, respectively; allegations related to employee corruption and use of force abuses; and checkpoint, transportation check, and roving patrol stop operations. This information should be updated monthly and should include a list of all CBP facilities used for temporarily detaining aliens, including the year-to-date average daily population and the daily population at these facilities at the time of publication.

The conferees direct CBP to provide regular updates on the implementation of the working group convened to improve coordination between U.S. Border Patrol and AMO.

Within 90 days of the date of enactment of this Act, CBP shall brief the Committees on its search and rescue efforts for fiscal year 2018, as detailed in House Report 115–239, with a particular emphasis on the Border Patrol's policies, methodology, and oversight related to how migrant deaths are counted. Additionally, CBP is directed to report the death of any individual in CBP custody, in the temporary custody of other law enforcement agencies on behalf of CBP, or subsequent to the use of force by CBP personnel within 24 hours, including relevant details regarding the circumstances of the fatality.

As directed in House Report 115–948, CBP shall provide a briefing to the Committees on the results of the Incident-Driven Video Recording Systems pilot upon its completion and assessment, including details on lessons learned for policy, privacy, and resource requirements.

The conferees direct CBP to provide the Committees with data pertaining to the number and efficacy of roving patrol stops and to release this data publicly on a semiannual basis, including a description of CBP policies governing enforcement actions of this nature; the total number of roving patrol stops made by CBP personnel, including the number resulting in arrest; and the date, location, duration, type of, and reason for each roving patrol stop and each resulting arrest. All personally identifiable information about specific individuals shall be redacted from these reports.

The conferees direct the Department to submit a report that details its prioritization of POE infrastructure capital investment projects, the methods and models used to determine prioritization, and an overview of Public-Private Partnership agreements. The conferees encourage CBP to work with the General Services Administration and the Office of Management

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and Budget on the annual 5-year Land POEs modernization plan, which is based on CBP's operational priorities and should include plans to complete the modernization of pre-9/11 POEs along the northern border. Specific attention should be paid to the health, safety, and welfare needs of CBPOs.

The conferees remain concerned with the duty drawback program, including the Accelerated Payment privilege and directs CBP to comply with the direction in House Report 115–948.

To improve oversight on the execution of funding for personnel, CBP is directed to submit a report not later than 15 days after the end of each month on staffing numbers, to include gains and losses by pay period during the month.

The conferees direct GAO to conduct a study and report to the Committees within 240 days of the date of enactment of this Act, on the advantages and disadvantages of the current retrospective duty system in comparison to those of a prospective duty system, with the goal of minimizing uncollected duties.

CBP and U.S. Citizenship and Immigration Services are directed to jointly brief the Committees on current challenges related to the implementation of section 289 of the Immigration and Nationality Act, related to the right of entry of American Indians into the United States from Canada. The briefing shall include legislative options for how to more equitably implement the intent of section 289 while also addressing appropriate security concerns. The Department shall also make this briefing available to the House Judiciary Committee and the Senate Committee on the Judiciary, upon request.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement provides $2,515,878,000 for procurement, construction, and improvements, an increase of $674,330,000 above the request. Of the total, $870,656,000 is available until September 30, 2021, and $1,645,222,000 is available until September 30, 2023.

The agreement includes $1,375,000,000 for additional pedestrian fencing to include $345,000,000 for approximately 11 miles of levee pedestrian fencing and $1,030,000,000 for approximately 44 miles of primary pedestrian fencing in the Rio Grande Valley Sector of Texas.

The conferees also provide $100,000,000 for border surveillance technology to include technologies such as fixed towers, remote video surveillance systems, mobile surveillance capability on the northern border, and innovative towers. The conferees note the significant

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amount of carryover funding totaling over $200,000,000 provided in fiscal year 2018 that has not been placed on contract which include significant balances for cross border tunnel threat; integrated fixed towers, linear ground detection including fiber optics, mobile video surveillance systems; remote video surveillance systems, and small unmanned aerial systems.

Not later than 30 days prior to any construction contract award for physical barriers funded in this Act, CBP shall submit a report to the Committees on the estimated amount of private property necessary to be obtained, the estimated associated cost, efforts to consult with stakeholders, and timeline for acquisition.

The agreement includes $564,000,000 for non-intrusive inspection equipment at land ports of entry. Additionally, $6,000,000 has been included for outbound enforcement equipment; $45,000,000 for inspection equipment at international mail and express consignment facilities; and $10,000,000 for automated commercial environment enhancements to include post core development and collections.

The conferees include $112,612,000 for airframes and sensors, including three multirole enforcement aircraft, and $14,500,000 for watercraft, including coastal interceptor vessels.

The conferees provide a total of $270,222,000 for construction and facility improvements, an increase of $222,000,000 above the request. The amount includes $192,000,000 for a new central processing facility in El Paso, Texas, $30,000,000 for renovations to the existing McAllen Central Processing Center, $33,447,000 for a new Border Patrol Station as requested, and $14,775,000 for Office of Field Operations facilities as requested. The conferees expect the new El Paso facility and renovations to the existing processing center in McAllen, Texas, will make them more appropriate for use as temporary holding sites for individuals in CBP custody, particularly families and unaccompanied children. At a minimum, these facilities should be equipped with appropriate temperature controls and avoid chain-link fence-type enclosures. CBP is also encouraged to use a more appropriate blanket type than currently utilized.

The conferees provide $18,544,000 for revenue modernization, as requested.

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U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

OPERATIONS AND SUPPORT

The conference agreement provides $7,542,153,000 for Operations and Support. Of the total amount provided, $75,448,000 is made available until September 30, 2020, of which $13,700,000 is for the Visa Security Program; $26,498,000 is for wiretaps that are necessary to support dismantling transnational criminal organizations that threaten the national security and public safety of the United States; $15,250,000 is for half of the increase described below for family case management; and $20,000,000 is for half of the increase described below for ICE management of immigration cases of enrollees in the alternatives to detention program.

The conference agreement includes $47,250,000 for the 2019 pay raise and does not assume the use of $207,600,000 in Immigration Examination User Fee revenue to partially offset costs for eligible activities in this account due to concerns with the impact to U.S. Citizenship and Immigration Services (USCIS) operations and the growing backlog in applications for immigration benefits. The conference agreement assumes a net reduction below the request of $80,578,000 for salaries and benefits based on updated payroll analyses provided by U.S. Immigration and Customs Enforcement (ICE) in January of 2019 indicating that payroll costs to sustain staffing levels achieved by the end of fiscal year 2018 would fall short of the amounts proposed in the budget request.

The conferees direct the Department and ICE that while Section 503 of this Act provides limited authority to address unanticipated, unavoidable detention needs within the Operations and Support appropriation, the budgetary impacts of any detention and enforcement policy must be carefully considered prior to implementation. Accordingly, within 60 days of the date of enactment of this Act, and monthly thereafter, ICE shall provide a briefing to the Committees on a detailed operational and spending plan to show how ICE will execute its budget within the funding levels appropriated. Such plan shall not assume the use of transfer or reprogramming authorities, shall show anticipated budget allocations at the field office level, and shall track actual monthly obligations and updated projected obligations against the original projections for each of the remaining months of the fiscal year. In the event that ICE transfers or reprograms funding, these plans shall be updated to accompany any notification that is required by Section 503.

Within 90 days of the date of enactment of this Act, ICE is directed to brief the Committees on its plan and schedule for completing its ongoing evaluation of the potential use of body worn cameras in its field enforcement activities. The conferees note that CBP has evaluated the use of body worn cameras in its operations and encourages ICE to coordinate with CBP on lessons learned.

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ICE shall continue to report and make public the following, as detailed in House Report 115–239, and shall follow the previously directed timeframes unless otherwise specified:

- Semi-annual update on UACs who age out while in Office of Refugee Resettlement custody;
- Secure Communities report;
- Requirements related to detention facility inspections reports;
- Death in custody reporting, with subsequent reporting to be released within 90 days of the initial report unless additional time is required for redacting personally identifiable information;
- Access to facilities;
- Detainee locator information;
- Changes to the current detention facility category and inspection framework;
- Compliance with the 2011 Performance Based National Detention Standards (PBNDS 2011) and PREA requirements; and
- Weekly rate of operations for Custody Operations.

The Department shall continue to submit data on the deportation of parents of U.S.-born children semiannually, as in prior years, and shall also report semiannually on removals of honorably discharged members of the armed services.

The conferees direct ICE, in conjunction with CBP, USCIS, and the Office of the Chief Financial Officer, to provide the Committee with regular updates on apprehensions, the average daily population (ADP) in ICE detention, asylum claims, the number of prosecution referrals to the Department of Justice (DOJ), and the number of referrals accepted by DOJ. These updates should also include information on how the Department is executing its current year and fiscal year 2019 funding compared to the enacted appropriations levels.

Within 60 days of enactment of this Act, the Director shall provide one or more national, nonprofit organizations that have experience advising on legal resources available to immigrants, asylum-seekers, and refugees with the location of all over-72 hour detention facilities, including those owned by ICE, by contractors, or by units of state or local government in the event such organizations are willing to identify pro bono immigration legal services providers in the area of each facility. ICE shall also display this information on an easily accessible area of its website, or provide a link to the organizations' websites if such information is provided there. To ensure the information is up-to-date, the Director shall notify the organizations prior to any change to the inventory or location of the above mentioned detention facilities.

The conferees are concerned about the results of a recent Office of Inspector General audit finding that "[i]nstead of holding facilities accountable through financial penalties, ICE

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issued waivers to facilities with deficient conditions, seeking to exempt them from complying with certain standards." Further, the audit revealed that "ICE has no formal policies and procedures to govern the waiver process, has allowed officials without clear authority to grant waivers, and does not ensure key stakeholders have access to approved waivers." To ensure appropriate oversight of waiver authority, the ICE Director shall have sole authority to approve waivers, and shall notify the Committees of such waivers within 3 business days of such approval.

Homeland Security Investigations

Domestic Investigations.—The conferees include the following increases above the request: $7,200,000 for additional Computer Forensics Analysts, including for the Child Victim Identification Program; $1,500,000 for paid internships for the Human Exploitation Rescue Operative Child-Rescue Corps program; $1,300,000 for an interoperable, nationwide information sharing platform related to the relationships of gang members, the identification of trafficking routes, and federal coordination between ICE, CBP, and DOJ; and $2,000,000 for upgrades to the Sexual Offender Registration and Notification Act exchange portal. The conference agreement also provides the requested $6,498,000 for additional wiretaps to support dismantling Transnational Criminal Organizations that threaten the national security and public safety of the United States.

The conferees understand the importance of enhancing the capacity of Homeland Security Investigations (HSI) and its partners to investigate criminal activity on the Internet to combat opioids/fentanyl. Accordingly, the conferees include an increase of $31,605,000 above the request for up to 155 additional criminal investigators and 72 support personnel dedicated to enhancing opioid/fentanyl-related investigations. HSI shall brief the Committees not later than 30 days after the date of enactment of this Act on its plan for executing these funds.

ICE plays a critical role in investigating criminal organizations that traffic individuals into and within the United States. The conferees encourage ICE to work with appropriate nonprofit organizations and victim service providers to improve the training of ICE officers in the field to assist in the identification of human trafficking victims and provide appropriate referrals to victim service organizations.

The conferees include an increase of $7,500,000 above the request for the HSI Victim Assistance Program for additional Victim Assistance Specialists (VASs), Forensic Interview Specialists, and related personnel. These additional resources are intended to ensure that HSI's victim assistance capability is commensurate with that of other federal law enforcement agencies, with the goal of placing of a VAS with every human trafficking task force in which HSI participates.

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The total includes not less than $305,000 for promoting public awareness of the child pornography tip line and not less than $15,770,000 for investigations of forced labor law violations, to include forced child labor. ICE is directed to continue to submit an annual report on expenditures and performance metrics associated with forced labor law enforcement activities.

The conference agreement provides not less than $15,000,000 for intellectual property law enforcement through the work of HSI and the National Intellectual Property Rights (IPR) Coordination Center. ICE is directed to ensure that the National IPR Center is properly staffed to facilitate continued enforcement actions against the theft of U.S. intellectual property, particularly online, as required in Public Law 114–125. Based on a new wave of digital copyright piracy involving devices and software that connect consumers' televisions directly to copyright-theft sites, the conferees direct ICE to increase investigations and enforcement to thwart illicit streaming involving media boxes and televisions.

International Investigations.—The conference agreement provides an additional $4,780,000 over fiscal year 2018 levels for 12 additional special agents for international investigations and 2 support staff, whose focus will be to enhance opioid/fentanyl-related investigations. The conference agreement annualizes growth to overseas operations funded in fiscal year 2018, for continued efforts to interrupt the illicit movement of people and goods prior to their arrival in the United States.

Not later than 60 days after the date of enactment of this Act, ICE shall brief the Committees on expansion plans and on efforts to implement the recommendations in GAO-18-314, *Actions Needed to Strengthen Performance Management and Planning for Expansion of DHS's Visa Security Program.*

Intelligence.—The conferees provide an additional $7,615,000 over fiscal year 2018 levels for 100 additional intelligence analysts, whose focus will be to enhance opioid/fentanyl-related investigations.

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Enforcement and Removal Operations

Custody Operations.—The conference agreement includes increases above the request of $12,450,000 for 112 additional Health Service Corps staff assigned to detention facilities and $4,000,000 to bring detention facility compliance with Prison Rape Elimination Act (PREA) requirements up to 97 percent, from the current 86 percent.

In the execution of these activities, ICE is directed to ensure that field personnel, including ERO officers, are appropriately trained on all agency policies and procedures involving detained parents and legal guardians, including ICE's directive on the Detention and Removal of Alien Parents or Legal Guardians and time of arrest protocols to minimize harm to children.

ICE is directed to prioritize the use of ATD programs for families, including family case management, for which the bill provides significant additional resources. ICE should continue working with the Executive Office for Immigration Review at the Department of Justice to prioritize the adjudication timeline for the cases of individuals enrolled in ATD, particularly those of families and asylum seekers.

An administrative provision in the bill requires ICE to provide weekly reports to the Committees and to the public on the average daily population, average length of stay, and total year-to-date book-ins of single adults and of members of family units detained in ICE custody, delineated by arresting agency; the daily counts of single adults and family units in detention custody; the number of individuals in detention custody with positive fear determinations and the average and median post-determination length of stay for such individuals; and the total number of enrollees in Alternatives to Detention, including the Family Case Management Program, along with the average length of participation.

ICE is also directed to make public the following statistics, to be updated monthly: the average bond amount for detainees; the percentage of detainees released after paying a bond; the average length of detention for individuals who are released on bond; and the average length of detention for individuals offered release on bond who remain in detention because they do not pay the bond.

All forms required to be signed by a detained person must be available in both English and Spanish. ICE is directed to report to the Committees within 90 days of the date of enactment of this Act on a plan and timeline for achieving this goal.

Additionally, ICE is directed to provide a semi-annual report to the Committees detailing the number of individuals, by field office, who are detained by ICE for removal from the United

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States but are subsequently determined to be U.S. Citizens, along with the average and median lengths of stay in detention for such individuals. The report should also describe ICE's process for adjudicating claims of U.S. citizenship by individuals it arrests for removal from the United States; major impediments to more quickly resolving such claims; and ICE's efforts to mitigate those impediments. The first report is due within 90 days of the date of enactment of this Act.

ICE shall provide a report to the Committees, not later than 90 days after the date of enactment of this Act, identifying for each detention contract, Inter-governmental Service Agreement (IGSA), or Inter-governmental Agreement (IGA), the detention standards under which it is inspected and the status of its compliance with PREA standards; all fiscal year 2018 costs by category, as appropriate; and the number of authorized and average number of on-board medical and mental health personnel, if any, during the fiscal year. In addition, the ICE Director shall continue to report to the Committees at least 30 days in advance of entering into any new or significantly modified detention contract or other detention agreement that does not meet or exceed the Performance-Based National Detention Standards 2011, as revised in 2016. Each report shall include a justification for why such contract or agreement requires different standards.

Within 30 days of the date of enactment of this Act, ICE is directed to brief the Committees on its progress in implementing the five recommendations made by OIG in its recent report on detention standards (OIG-18-67). In addition, GAO is directed to follow-up on the OIG report by examining ICE's management and oversight of detention facilities, including the extent to which DHS has:

(1) effective mechanisms in place to monitor compliance with applicable detention facility standards, including implementation of corrective actions; and

(2) effective processes in place for obtaining and addressing complaints from aliens in detention facilities.

GAO shall provide a preliminary briefing to the Committees on its findings within 180 days of the date of enactment of this Act.

Individuals detained in ICE detention facilities can voluntarily participate in work programs at those facilities, doing jobs such as cooking, laundry, and providing janitorial services. OIG is directed to review ICE policies and oversight of contract detention facilities related to detainee work programs, with a particular focus on how ICE can ensure that such work is strictly voluntary.

ICE should ensure that operators of family detention facilities do not prevent co-sleeping by parents and their young children, which can be a source of comfort to children in unfamiliar circumstances.

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Within 30 days of the date of enactment of this Act and monthly thereafter, ICE shall report to the Committees on the fiscal year-to-date criminality breakdown of the individuals in its custody, as well as the estimated criminality breakdown associated with its fiscal year-to-date average daily population, and the criminality breakdown of its daily population as of the date of the report.

Criminal Alien Program.—ICE is directed to ensure that every 287(g) jurisdiction has established, and routinely and formally meets with, steering committees of external stakeholders to discuss the performance and oversight of 287(g)-designated officers. ICE shall continue to provide an annual 287(g) report, as detailed in House Report 115–239, which should also describe any plans for future expansion of or changes to the use of its 287(g) authority.

The conferees also expect ICE, the Office of Inspector General (OIG), and the Office for Civil Rights and Civil Liberties to continue providing rigorous oversight of the 287(g) program, and directs ICE to notify the Committees prior to implementing any significant changes to the program, including any changes to training requirements, data collection, or selection criteria.

Alternatives to Detention.—The conferees include increases above the request of $28,000,000 to increase the number of participants in Alternatives to Detention (ATD) programs to 100,000, up from 82,000 assumed in the request; $40,000,000 for additional ICE staffing dedicated to the management of ATD immigration cases, particularly those of asylum applicants; and $30,500,000 for the Family Case Management Program (FCMP), which can help improve compliance with immigration court obligations by helping families' access community-based support for basic housing, healthcare, legal, and educational needs. Within 90 days of the date of enactment of this Act, ICE shall brief the Committees on a plan for a program within the FCMP managed by non-profit organizations that have experience in connecting families with community-based services.

ICE is directed to continue to provide performance reports to the Committees on the ATD program, as described in House Report 114–668. The analysis should also include ATD enrollment by field office, type of supervision, and arresting agency, as well as the average length of enrollment by type of supervision. In addition, the report shall include ICE guidance for referral, placement, escalation, and de-escalation decisions in ATD programs.

ICE is directed to ensure that access to "know your rights" presentations is available at the point of enrollment for all ATD programming, and to explore opportunities to work with community based organizations that directly provide case management services, including referrals to services already available in the community that are associated with higher ATD compliance rates. ICE shall brief the Committees not later than 60 days after the date of enactment of this Act on any challenges it encounters to achieving this requirement.

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Further, ICE is directed to continue exploring the use of available ATD models on an ongoing basis, prioritize the use of such detention alternatives for immigrant children and their families, where appropriate, and release individuals and their family members who pass credible fear screening and do not present a public safety or flight risk.

Within 60 days of the date of enactment of this Act, ICE is directed to brief the Committees on an analysis of each active Alternatives to Detention program within the last 5 years. This report shall include compliance with court appearances, immigration appointments, and removal orders, cost per individual served, response times to requests for legal counsel, family contact, and medical treatment (including mental health services). This report shall also provide data on whether noncompliant ATD participants were actively in the ATD program, such as whether participants were expected to be wearing monitors at the time of noncompliance.

Within the total, not less than $3,000,000 is included to continue to enable certain aliens on the non-detained docket to check-in with ICE via self-service kiosks at ERO field offices. The goal of the program is to reduce the time and resources that deportation officers devote to managing encounters and check-ins with applicable aliens, and allowing those officer resources to devote more time and effort to improving attendance at immigration hearings and compliance with removal orders.

Transportation and Removal Program.—In recent months, ICE has collaborated with organizations that provide temporary shelter to migrants released from ICE custody. Within the $114,147,000 increase above the fiscal year 2018 funding level for the Transportation and Removal Program, ICE is directed to provide for the transportation of migrants to such shelters based on where collaborating organizations have open sheltering capacity, including during surge periods. ICE shall immediately notify the Committees in advance of any decision to deny such transportation.

Mission Support

The conferees provide an increase above the request of $6,975,000 for staffing at the Office of Detention Oversight within the Office of Professional Responsibility. ICE is directed to increase the number of inspections of over-72 hour detention facilities from once every three years to twice per year not later than the end of fiscal year 2019.

Office of the Principal Legal Advisor

The conferees provide an additional $7,397,000 for additional attorneys and for courtroom expansion to assist in the backlog of immigration cases currently in the system.

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PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conferees include $45,559,000 for procurement, construction, and improvements, consisting of $4,700,000 for the Consolidated Financial Solution; $30,859,000 for tactical communications; and $10,000,000 for critical repairs to ICE facilities.

TRANSPORTATION SECURITY ADMINISTRATION

OPERATIONS AND SUPPORT

The conference agreement provides an increase of $73,635,000 above the request for the 2019 pay raise.

The conferees provide an increase of $222,210,000 above the request for Aviation Screening Operations, including: $77,000,000 to maintain existing Transportation Security Administration (TSA) staffing at airport exit lanes in accordance with section 603 of Public Law 113–67; $44,596,000 for additional transportation security officers and associated training and support costs to address the continued growth in passenger volume at airports. The conferees also provide increases of $15,660,000 to fully fund fiscal year 2019 Screening Partnership Program requirements; $2,410,000 for increased field rent; $12,885,000 to hire, train, certify, and deploy 50 new canine teams to support increased passenger screening requirements; $10,440,000 for additional program management staffing to support new technology acquisitions; and $4,280,000 for the procurement of additional Credential Authentication Technology units.

The conferees also provide $94,220,000 above the request for Other Operations and Enforcement, including: $3,000,000 to establish additional training capacity for the Federal Flight Deck Officer (FFDO) and Flight Crew Training Program at a location that is more conducive to pilot participation; $46,280,000 to sustain the Law Enforcement Officer Reimbursement Program; and $55,637,000 to maintain 31 Visible Intermodal Prevention and Response (VIPR) teams.

The conference agreement directs TSA to brief the Committees on a plan for a new FFDO training center not later than 60 days after the date of enactment of this Act.

The conferees provide an additional $17,699,000 above the request for mission support for costs associated with added transportation security officers and canines.

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Within 90 days of the date of enactment of this Act, TSA shall provide a classified briefing to the Committees on the agency's plans for identifying 3D-printed guns at passenger screening checkpoints.

The conferees direct TSA to brief the Committees on the status of the third party canine program not later than 90 days after the date of enactment of this Act.

The funding level for the Federal Air Marshals Service (FAMS) reflects the fiscal year 2019 requirement, given the restoration of funds for VIPR teams. In lieu of the direction in the Senate Report 115–283, TSA shall submit semiannual reports on FAMS mission coverage, staffing levels, and hiring rates.

As directed in House Report 115–948, TSA shall make available a framework for establishing operations centers to promote interagency response and coordination at federalized airports.

As directed in House Report 115–948, TSA shall provide a report on airport compliance with subsection (a) of section 3 of the Gerardo Hernandez Airport Security Act related to security plans.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement provides an increase of $31,160,000 above the request to include an increase of $20,000,000 to accelerate the procurement and deployment of computed tomography equipment to enhance detection capabilities for carry-on baggage and $40,000,000 for TSA to continue reimbursement of airports that incurred costs associated with the development of a partial or completed in-line baggage system prior to August 3, 2007.

In light of the Department's recent decision to discontinue further development efforts for the Technology Infrastructure Modernization (TIM) system, no funding is provided to continue TIM system development in fiscal year 2019.

The conferees note that the purchases of equipment with a unit cost of less than $250,000 will continue to be made with Operations & Support funds.

Within 60 days of the date of enactment of this Act, TSA shall brief the Committees on its investment plans for checkpoint security and explosives detection systems refurbishment, procurement, and installation on an airport-by-airport basis in fiscal year 2019, and shall provide quarterly updates on any deviations from this plan.

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COAST GUARD

OPERATIONS AND SUPPORT

The conference agreement provides an increase of $215,063,000 above the request, including: $15,000,000 for an additional 250 military personnel; $12,948,000 for the 2019 pay raise; $2,000,000 to increase child care benefits; as well as increases to address rising costs for fuel and rent. Within the total amount provided, $11,000,000 is available until September 30, 2021, including $6,000,000 to continue the Fishing Safety Training Grants and Fishing Safety Research Grants programs, and $5,000,000 for the National Coast Guard Museum. Additionally, within the total amount provided, $13,429,000 is available until September 30, 2023 for environmental compliance and restoration.

The Coast Guard is directed to continue to provide an annual report within 90 days after the date of enactment of this Act, on the number of expedited requests for transfer made by victims of sexual assault during the prior fiscal year, as described on page 40 of House Report 115–948.

Illegal, unreported, and unregulated (IUU) fishing leads to billions in losses for the global fishing industry and is a source of financing for illicit activity such as piracy, drug trafficking, human trafficking, and slavery. The Coast Guard is directed to submit a plan for a one-year pilot program to address this issue, not later than 120 days after the date of enactment of this Act, as described on pages 40 and 41 of House Report 115–948.

The conferees are concerned about the risks posed by natural disasters, including tsunamis, to Coast Guard stations. The Coast Guard is directed to identify natural disaster risks and develop a plan to mitigate the identified risks and improve the resiliency of stations.

The Coast Guard is urged to use up to $1,000,000 to expand existing Partnership in Education programs, as described on page 41 of House Report 115–948.

Within 180 days of the date of enactment of this Act, the Coast Guard shall provide a briefing to the Committees with an assessment of the Coast Guard's ability to conduct maritime law enforcement activities in the high seas in support of international partners, as specified in Senate Report 115–283.

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PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement provides an increase of $361,510,000 above the request, including increases of: $5,000,000 for post-delivery activities for the tenth National Security Cutter; $2,600,000 for post-delivery activities for an eleventh National Security Cutter; $5,000,000 for survey and design work to support the acquisition of a Great Lakes icebreaker; $105,000,000 for the HC-130J aircraft program; $95,000,000 to recapitalize MH-60T aircraft; $8,000,000 to fund both the planned avionics upgrades and the costs associated with the service life extension project for HH-65 aircraft; $100,000,000 for additional Fast Response Cutters as described on page 43 of House Report 115–948; $39,510,000 for the top two priorities on the Coast Guard's Unfunded Priority List (UPL) that support operational assets and maritime commerce and the top priority on the Coast Guard's UPL for addressing facility deficiencies; and $74,510,000 for the three highest priority MASI projects on the Coast Guard's UPL and $5,000,000 for survey and design work associated with the Coast Guard's top UPL aircraft facility priority. The agreement includes $655,000,000 for production of the first Polar Security Cutter (PSC) and $20,000,000 for long lead time materials for a second PSC.

RESEARCH AND DEVELOPMENT

The Coast Guard's Research and Development account's bill language has been revised to be consistent with the Research and Development appropriations language provided for all other DHS components funding research and development activities. The conferees intention is that the Coast Guard's appropriations and corresponding authorities in the new Research and Development account remain the same in scope as those included in the Coast Guard's legacy Research, Development, Testing, and Evaluation account.

The conference agreement includes $1,000,000 to evaluate bromine-free systems in cutters, as described on page 71 of Senate Report 115–283.

UNITED STATES SECRET SERVICE

OPERATIONS AND SUPPORT

The conference agreement provides an increase above the request of $64,220,000, including increases of: up to $9,500,000 for overtime pay for agents and officers in calendar year 2018; $20,171,000 for the 2019 pay raise; $14,400,000 to annualize funding for additional

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personnel hired in fiscal year 2018; $3,729,000 for increased hiring in fiscal year 2019; $11,900,000 for additional retention initiatives; $594,000 for audio countermeasures; $784,000 to sustain fiscal year 2018 funding levels for forensic and investigative support related to missing and exploited children; $6,000,000 for grants related to investigations of missing and exploited children; $21,022,000 for basic and advanced computer forensics training for state and local law enforcement officers, judges, and prosecutors in support of the Secret Service mission. The increases above the request accelerate the Secret Service's long-term hiring plan to rebuild law enforcement and mission critical support staffing and will enable the Secret Service to reach 7,650 personnel in fiscal year 2019.

Within the total amount provided, $40,036,000 is made available until September 30, 2020, including $6,782,000 for the James J. Rowley Training Center; $10,754,000 for Operational Mission Support; $18,000,000 for protective travel; and $4,500,000 for National Special Security Events (NSSE).

In addition, the conference agreement provides $19,000,000 to defray costs specific to the Secret Service execution of its statutory responsibilities to direct the planning and coordination of NSSEs. This amount includes a realignment of $14,500,000 from the Protection of Persons and Facilities PPA to the Presidential Campaigns and NSSE PPA, in light of Secretary's designation of recurring significant events as NSSEs on an ongoing basis.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement provides an increase above the request of $8,000,000 to complete construction of vehicle checkpoints and an increase of $6,475,000 for deferred maintenance and investments in audio countermeasures at the White House complex.

Additionally, the conference agreement provides $40,800,000 for the Fully Armored Vehicle Program within the Procurement, Construction, and Improvements appropriation, including $17,840,000 that was requested under Operations and Support.

RESEARCH AND DEVELOPMENT

The conference agreement provides $2,500,000 for Research and Development.

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TITLE II—ADMINISTRATIVE PROVISIONS – THIS ACT

Section 201. The conference agreement continues a provision regarding overtime compensation.

Section 202. The conference agreement continues a provision allowing CBP to sustain or increase operations in Puerto Rico with appropriated funds.

Section 203. The conference agreement continues a provision regarding the availability of passenger fees collected from certain countries.

Section 204. The conference agreement continues a provision allowing CBP access to certain reimbursements for preclearance activities.

Section 205. The conference agreement continues a provision prohibiting individuals from importing prescription drugs from Canada.

Section 206. The conference agreement continues a provision regarding the waiver of certain navigation and vessel-inspection laws.

Section 207. The conference agreement continues a provision preventing the establishment of new border crossing fees at land ports of entry.

Section 208. The conference agreement continues a provision allowing the Secretary to reprogram and transfer funds within and into "U.S. Immigration and Customs Enforcement – Operations and Support" to ensure the detention of aliens prioritized for removal.

Section 209. The conference agreement continues a provision prohibiting the use of funds provided under the heading "U.S. Immigration and Customs Enforcement – Operations and Support" to continue a delegation of authority under the 287(g) program if the terms of an agreement governing such delegation have been materially violated.

Section 210. The conference agreement continues a provision prohibiting the use of funds provided under the heading "U.S. Immigration and Customs Enforcement – Operations and Support" to contract with a facility for detention services if the facility receives less than "adequate" ratings in two consecutive performance evaluations.

Section 211. The conference agreement continues a provision clarifying that certain elected and appointed officials are not exempt from federal passenger and baggage screening.

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Section 212. The conference agreement continues a provision directing TSA to deploy explosives detection systems based on risk and other factors.

Section 213. The conference agreement continues a provision authorizing TSA to use funds from the Aviation Security Capital Fund for the procurement and installation of explosives detection systems or for other purposes authorized by law.

Section 214. The conference agreement continues a provision prohibiting the use of funds in abrogation of the statutory requirement for TSA to monitor certain airport exit points.

Section 215. The conference agreement continues a provision prohibiting funds made available by this Act for recreational vessel expenses, except to the extent fees are collected from owners of yachts and credited to this appropriation.

Section 216. The conference agreement continues a provision under the heading "Coast Guard – Operating Expenses" allowing up to $10,000,000 to be reprogrammed to or from Military Pay and Allowances.

Section 217. The conference agreement continues a provision requiring the Commandant of the Coast Guard to submit a future-years capital investment plan.

Section 218. The conference agreement continues a provision allowing the Secret Service to obligate funds in anticipation of reimbursement for personnel receiving training.

Section 219. The conference agreement continues a provision prohibiting the use of funds by the Secret Service to protect the head of a federal agency other than the Secretary of Homeland Security, except when the Director has entered into a reimbursable agreement for such protection services.

Section 220. The conference agreement continues a provision allowing the reprogramming of funds within "United States Secret Service – Operations and Support".

Section 221. The conference agreement continues a provision allowing funds made available within "United States Secret Service – Operations and Support" to be available for travel of employees on protective missions without regard to the limitations on such expenditures.

Section. 222. The conference agreement includes a provision requiring the Secretary to submit an expenditure plan for funds made available under "U.S. Customs and Border Protection – Procurement, Construction, and Improvements"

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Section 223. The conference agreement continues a provision related to the allocation of funds for Overseas Contingency Operations/Global War on Terrorism.

Section 224. The conference agreement includes a provision prohibiting ICE from removing sponsors or potential sponsors of unaccompanied children based on information provided by the Office of Refugee Resettlement as part of the sponsor's application to accept custody of an unaccompanied child, except when that information meets specified criteria.

Section 225. The conference agreement includes a new provision authorizing a three-year pilot program through which TSA could enter into reimbursable agreements with up to eight TSA-regulated entities for screening services provided by Transportation Security Officers at locations other than primary passenger terminal screening areas.

Section 226. The conference agreement includes a new provision that requires ICE to provide statistics about its detention population.

Section 227. The conference agreement continues a provision prohibiting the use of funds to reduce the Coast Guard's Operations Systems Center mission or staff.

Section 228. The conference agreement continues a provision prohibiting the use of funds to conduct a competition for activities related to the Coast Guard National Vessel Documentation Center.

Section 229. The conference agreement continues a provision allowing the use of funds to alter, but not reduce, operations within the Civil Engineering program of the Coast Guard.

Section 230. The conference agreement includes a provision allocating funds within CBP's Procurement, Construction, and Improvements account for specific purposes.

Section 231. The conference agreement includes a provision limiting construction in specified areas.

Section 232. The conference agreement includes a provision requiring consultation and a public comment period prior to construction in certain jurisdictions.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001585

TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

Public Law 115–278 authorized the reorganization of the National Protection and Programs Directorate into a new Cybersecurity and Infrastructure Security Agency (CISA). In concert with that authorization, appropriations for the Office of Biometric Identity Management (OBIM) have been realigned to the Management Directorate. While the Secretary determines an organizational placement for the Federal Protective Service (FPS), as directed by Public Law 115–278, funding for FPS is provided within CISA.

CISA is directed to provide a briefing, not later than 90 days of the date of enactment of this Act and semiannually thereafter, on the updated timelines and acquisition strategies for the National Cybersecurity Protection System (NCPS) program and the Continuous Diagnostics and Mitigation (CDM) program, including the accelerated deployment of CDM Phase 4 data protection management (Digital Rights Management, Data Masking, Micro-Segmentation, Enhanced Encryption, Mobile Device Management, etc.) across all ".gov" civilian agencies.

Advanced persistent threats targeting critical infrastructure sectors in the United States is cause for concern. Not later than 60 days of the date of enactment of this Act, the Department is directed to brief the Committees on the status of implementing the recommendations of the 2017 report of the National Infrastructure Advisory Council, *Securing Cyber Assets: Addressing Urgent Cyber Threats to Critical Infrastructure*.

To provide greater flexibility, CISA PPAs are included in the control table for purposes of reprograming and transfer thresholds at the second level PPA. It is expected that CISA will include in its budget request greater detail, to at least the third level PPA, so Congress can continue fiscal oversight and not have to return to a greater level of specificity in the control table.

OPERATIONS AND SUPPORT

A total of $1,345,802,000 is provided for Operations and Support, of which $18,650,000 is made available until September 30, 2020, for the National Infrastructure Simulation Analysis Center (NISAC). The conferees include a total of $33,000,000 for the Election Infrastructure Security Initiative (EISI) and $7,397,000 for the 2019 pay raise as described through CISA PPAs.

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Cybersecurity

The Department has a significant role in assisting state and local election officials as they prepare for federal elections. While an OIG investigation on the status of the Department's assistance to States continues, to further aid the Committees' oversight, the GAO shall examine how the Department is implementing its key responsibilities in overseeing protection of the elections critical infrastructure subsector and the reported benefits and challenges of such efforts. GAO shall provide a report not later than 180 days after the date of the enactment of this Act.

CISA is directed to explore opportunities for facilitating partnerships, such as those described in House report 115–948, between and among federal, state, local, and private entities on the use of testing and modeling to evaluate cyber vulnerabilities in critical infrastructure and work with the Chief of the National Guard Bureau and other stakeholders to identify best practices for such testing and modeling. CISA shall brief the Committee not later than 180 days after the date of enactment of this Act on how CISA, the National Guard, and other stakeholders could play a larger role in facilitating such partnerships.

CISA is directed to brief the Committees, not later than 90 days after the date of enactment of this Act, on the feasibility of establishing a pilot for a hacking competition that would allow independent cyber experts to identify cybersecurity vulnerabilities in election systems across the country, with participants potentially eligible to receive rewards, as determined by the Secretary, based upon their findings. The participation of state and local election officials, including any access to their networks, should be completely voluntary. State and local election officials, as well as election service providers, should be appropriately notified about relevant cybersecurity vulnerabilities discovered through the competition.

Cyber Readiness and Response.—The conferees include an increase above the request of $29,379,000 for EISI; $3,000,000 to increase cybersecurity services for the non-election critical infrastructure sectors; and $11,400,000 to continue enhanced training, malware analysis, safety systems vulnerability analysis, incident response, and assessments of Industrial Control Systems in emerging sectors and subsectors.

The conferees also include $3,000,000 for the establishment of pilot programs to explore and evaluate the most effective methods for cybersecurity information sharing, focusing on regional information sharing; communications and outreach; training and education; and research and development for the improvement of State, local, tribal, and territorial (SLTT) government capabilities and capacity.

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Cyber Infrastructure Resilience.—The conferees include an increase above the request of $7,971,000 to fully fund cybersecurity advisors; $4,300,000 to sustain fiscal year 2018 funding levels for the Cybersecurity Education and Training Assistance Program (CETAP); and $4,100,000 to hire subject matter experts for training systems and for instructional system design, develop consolidated cybersecurity training curricula and a course catalog, and create marketing materials to engage customers.

Federal Cybersecurity.—The conferees include an increase above the request of $3,600,000 to accelerate deployment of CDM to federal departments and agencies.

Infrastructure Protection

Infrastructure Capacity Building.—The conferees include an increase of $1,121,000 above the request for EISI and includes an increase of $4,650,000 above the request, as well as a realignment of $2,750,000, to support regionalization efforts to improve service delivery to the field. The conferees also include a total of $17,277,000 for the Office of Bombing Prevention (OBP), of which $2,090,000, above the request is to provide needed training, information sharing, and awareness programs for SLTT and private sector entities related to trends in terrorist utilization of explosives. The funding will also provide for analysis of current counter-explosives capabilities and identification of capability gaps. Also included, as requested, is $11,800,000 for the proposed soft target program.

Infrastructure Security Compliance.—The conferees include a realignment of $3,148,000 from this PPA for salaries and benefits to support regionalization efforts.

Emergency Communications

Emergency Communications Preparedness.—The conferees include an increase of $2,000,000 above the request for EISI.

Integrated Operations

Cyber and Infrastructure Analysis.—The conferees include an increase of $9,738,000 above the request to restore the proposed reduction to the NISAC and an increase of $500,000 for EISI.

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In July 2018, the Secretary announced the redesignation of the Office of Cyber and Infrastructure Analysis (OCIA) as the National Risk Management Center (NRMC) in an effort to refocus risk management efforts across the various critical infrastructure sectors. As part of the effort, CISA aims to improve security and resiliency outcomes by focusing more on sector-wide and cross-sector risks and dependencies. The conferees include a realignment of $17,216,000 into this PPA for such activities. Not later than 90 days after the date of the enactment of this Act, the NRMC is directed to provide a detailed spend plan for its fiscal year 2019 activities. This spend plan should highlight the operational change in strategy from prior years, to include the anticipated outcome resulting from these efforts.

The conferees include an increase of $4,962,000 above the request for risk analyses of industrial control systems. The conferees also encourage CISA to use commercial, human-led threat behavioral analysis and technology. NRMC is also encouraged to employ private sector, industry-specific threat intelligence and best practices to better characterize potential consequences to other critical infrastructure sectors during a systemic cyber event.

Critical Infrastructure Situational Awareness.—The conferees include an increase of $3,000,000 above the request to improve and enhance capabilities for near-real-time monitoring of the inter-connected dependencies of the electric power subsector and other critical infrastructure sectors. The conferees also include an increase of $775,000 to support regionalization efforts to improve service delivery to the field.

Stakeholder Engagement and Requirements.—The conferees include an increase of $1,700,000 above the request for the software assurance program and $2,000,000 to continue efforts to ensure the integrity of supply chains.

FEDERAL PROTECTIVE SERVICE

A total of $1,527,110,000 is made available for the FPS. This funding is generated by collections of security fees from federal agencies based on security services provided by FPS.

Not later than 90 days of the date of enactment of this Act, FPS shall provide a briefing to the Committees as described in Senate Report 115–283. In addition, FPS is directed to provide an expenditure plan to the Committees, not later than 90 days after the date of enactment of this Act, detailing planned obligations for operating expenses and countermeasures by region and facility.

A new revenue model study completed by the Administration and FPS, which proposed a method to more accurately assign security costs to users, is currently scheduled for

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implementation in fiscal year 2020. A provision is included requiring FPS to evaluate alternative approaches and methods to fund "Countermeasures" security costs and provide a report to the Committees on its conclusions not later than 180 days after the date of enactment of this Act. These approaches and methods should demonstrate efficiency, focusing on innovative countermeasures which are planned for in advance, and solutions that take into consideration a federal agency's own investments in security.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Cybersecurity

The conferees include an increase of $34,452,000 above the request to support evolving requirements of CDM capabilities.

A reduction of $15,000,000 to the NCPS acquisition program is included due to contract delays. Such unused contract funds are redirected to facility construction, expansion, and renovations necessary to support CISA's growing cybersecurity workforce; expanding operations, laboratory, and logistics support activities; and Continuity of Operations functions at the agency's existing support facility. In fiscal year 2018, $500,000 was appropriated for facility design purposes.

Infrastructure Protection

The conferees include an increase of $5,000,000 to modernize IP Gateway infrastructure technology, as described in House Report 115–948, as requested.

Integrated Operations

The conferees include a realignment of $413,000 into this appropriation from the Operations and Support appropriation for the Modeling Capability Transition Environment (MCTE) program.

RESEARCH AND DEVELOPMENT

Cybersecurity

As described in both House Report 115–948 and Senate Report 115–283, the conferees support funding for cybersecurity research and development; however, the request's proposal to realign these efforts from the Science and Technology Directorate into CISA is rejected.

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Infrastructure Protection

An increase of $2,000,000 is provided above the amount requested for the Technology Development and Deployment Program to define agency needs, identify requirements for community level critical infrastructure protection and resilience, and rapidly develop, test, and transition to use technologies that address these needs and requirements.

Integrated Operations

The conferees include a realignment of $1,215,000 from the Infrastructure Protection PPA as part of the new NRMC refocusing efforts.

FEDERAL EMERGENCY MANAGEMENT AGENCY

OPERATIONS AND SUPPORT

The conference agreement provides an increase above the request of $29,976,000, including an increase of: $17,817,000 for Urban Search and Rescue teams, of which $10,150,000 is to recapitalize critical equipment necessary to conduct life-saving search and rescue operations; $5,840,000 for the 2019 pay raise; up to $1,800,000 is to administer predisaster mitigation programs in conjunction with funds made available through the Disaster Relief Fund; $2,500,000 to utilize existing enhanced communications platforms that integrate telephone, mobile, and web communications to provide real-time feedback, as described in House Report 115-948; and $1,000,000 to support FEMA's ongoing efforts to deploy the Interoperable Gateway System throughout the continental U.S. and the Caribbean, as described in House Report 115–948.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement provides an increase of $30,481,000 above the request, including an increase of: $20,000,000 for design work and renovation of facilities at the Center for Domestic Preparedness; $5,000,000 for capital improvements at the Mount Weather Emergency Operations Center; and up to $10,000,000 for the Grants Management Modernization program.

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The conference agreement provides an increase of $449,447,000 above the request. The amount provided for this appropriation by PPA is as follows:

	Budget Estimate	Conference Agreement
Federal Assistance		
Grants		
State Homeland Security Grant Program	$349,362,000	$525,000,000
(Operation Stonegarden)	---	(90,000,000)
(Nonprofit Security)	---	(10,000,000)
Urban Area Security Initiative	448,844,000	640,000,000
(Nonprofit Security)	---	(50,000,000)
Public Transportation Security Assistance	36,358,000	100,000,000
(Amtrak Security)	---	(10,000,000)
(Over-the-Road Bus Security)	---	(2,000,000)
Port Security Grants	36,358,000	100,000,000
Assistance to Firefighter Grants	344,344,000	350,000,000
Staffing for Adequate Fire and Emergency Response (SAFER) Grants	344,344,000	350,000,000
Emergency Management Performance Grants	279,335,000	350,000,000
Competitive Preparedness Grants Programs	522,000,000	---
Predisaster Mitigation Fund	39,016,000	---[1]
Flood Hazard Mapping and Risk Analysis Program (RiskMAP)	100,000,000	262,531,000
Regional Catastrophic Preparedness Grants	---	10,000,000
High Hazard Potential Dams	---	10,000,000
Emergency Food and Shelter	---	120,000,000
Subtotal, Grants	$ 2,499,961,000	$2,817,531,000
Education, Training, and Exercises		
Center for Domestic Preparedness	63,756,000	66,057,000
Center for Homeland Defense and Security	---	18,000,000

[1] The conference agreement provides $250,000,000, from the Disaster Relief Fund, for the National Predisaster Mitigation Fund which can be combined with the recently authorized National Public Infrastructure Predisaster Mitigation Assistance consistent with the Disaster Recovery Reform Act, Public Law 115–254

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Emergency Management Institute	18,876,000	20,741,000
U.S. Fire Administration	43,493,000	44,179,000
National Domestic Preparedness Consortium	---	101,000,000
Continuing Training Grants	---	8,000,000
National Exercise Program	18,647,000	18,702,000
Subtotal, Education, Training, and Exercises	$144,772,000	$ 276,679,000
Subtotal, Federal Assistance	$2,644,733,000	$3,094,210,000

The conference agreement includes $472,000 for the 2019 pay raise. The conference agreement does not provide funding for the proposed Competitive Preparedness Grants Program.

The conference agreement provides $250,000,000, from the Disaster Relief Fund, for the National Predisaster Mitigation Fund which can be combined with the recently authorized National Public Infrastructure Predisaster Mitigation Assistance, consistent with the Disaster Recovery Reform Act, Public Law 115–254.

The conference agreement includes a general provision in Title V of this division providing an increase above the budget request of $41,000,000 to reimburse state and local law enforcement agencies for extraordinary costs associated with the protection of the President in jurisdictions where the President maintains a residence.

The total under this heading includes $8,000,000 for Continuing Training Grants to support competitively-awarded training programs to address specific national preparedness gaps, such as cybersecurity, economic recovery, housing, and rural and tribal preparedness. Of this amount, not less than $3,000,000 shall be prioritized to be competitively awarded for FEMA-certified rural and tribal training.

Consistent with the 9/11 Act, the conference agreement requires FEMA to conduct risk assessments for the 100 most populous metropolitan statistical areas prior to making UASI grant awards. The conferees expect that UASI funding will be limited to urban areas representing up to 85 percent of the cumulative national terrorism risk to urban areas and that resources will continue to be allocated in proportion to risk.

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DISASTER RELIEF FUND

The conference agreement provides $12,558,000,000, including $12,000,000,000 as a budget cap adjustment for major disaster response and recovery activities and $558,000,000 for base Disaster Relief Fund activities. Of the amount provided for base activities, $300,000,000 is derived from recoveries of prior year appropriations. Of the amount provided for major disasters, $3,000,000 is available to be transferred to the Disaster Assistance Direct Loan Program. Of amounts set aside for the new National Public Infrastructure Predisaster Mitigation Assistance, $250,000,000 shall be used for Predisaster Mitigation. Once the recently authorized National Public Infrastructure Predisaster Mitigation Assistance is implemented, any amounts remaining may be used for that new program consistent with the Disaster Recovery Reform Act, Public Law 115–254.

NATIONAL FLOOD INSURANCE FUND

The conference agreement provides $462,000 above the request for the 2019 pay raise.

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TITLE III—ADMINISTRATIVE PROVISIONS--THIS ACT

Section 301. The conference agreement includes a provision requiring the Federal Protective Service, in conjunction with the Office of Management and Budget, to provide a report to the conferees providing no fewer than three options for a revised method to assess and allocate costs for countermeasures.

Section 302. The conference agreement continues a provision limiting expenses for administration of grants.

Section 303. The conference agreement continues a provision specifying timeframes for certain grant applications and awards.

Section 304. The conference agreement continues a provision specifying timeframes for information on certain grant awards.

Section 305. The conference agreement continues a provision that addresses the availability of certain grant funds for the installation of communications towers.

Section 306. The conference agreement continues a provision requiring a report on the expenditures of the DRF.

Section 307. The conference agreement includes a provision permitting certain waivers to SAFER grant program requirements.

Section 308. The conference agreement continues a provision providing for the receipt and expenditure of fees collected for the Radiological Emergency Preparedness Program, as authorized by Public Law 105–276.

Section 309. The conference agreement includes a provision for an adjusted federal share for the cost of debris removal and emergency protective measures, including direct federal assistance, for major disasters declared for wildfires in calendar year 2018.

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TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

OPERATIONS AND SUPPORT

The conference agreement provides an increase of $607,000 above the request for the 2019 pay raise.

The conferees direct the Department, in consultation with the Department of Labor to review options for addressing the problem of unavailability of H-2B visas for employers that need workers to start work late in a semiannual period of availability and to report to the Committees on these options not later than 120 days after the date of enactment of this Act.

The conferees also direct U.S. Citizen and Immigration Services (USCIS) to conduct a benefit fraud assessment regarding the Special Immigrant Juvenile program and brief the Committees on the results of such assessment not later than one year after the date of enactment of this Act.

USCIS is expected to continue the use of fee waivers for applicants who can demonstrate an inability to pay the naturalization fee. USCIS is also encouraged to consider whether the current naturalization fee is a barrier to naturalization for those earning between 150 percent and 200 percent of the federal poverty guidelines, who are not currently eligible for a fee waiver.

The conferees encourage USCIS to maintain naturalization fees at an affordable level while also focusing on reducing the backlog of applicants. As USCIS undertakes its next biennial fee study, the conferees urge the agency to include in its final report an estimate of the resources required to clear the backlog of applications for temporary status, adjustment of status, and naturalization, as well as reduce future wait times from the submission to initial adjudication to no more than one year for all petitions processed by the agency. Additionally, USCIS is directed to brief the Committees on specific actions, if any, that the agency is taking to reduce the backlog of asylum applications while ensuring that asylum applicants are properly reviewed for eligibility and for security purposes.

The conferees urge USCIS to dedicate more resources to U visa adjudication, specifically increasing trained U visa adjudicators by at least 60 additional agents, and provide adequate resources to hire staff and train adjudicators for the purpose of reviewing applications within six months of receipt.

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MULTI-HHS-18-0600-A and 18-604-A-001596

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Procurement, Construction, and Improvements account provides funds for the acquisition and deployment of the E-Verify program, which is funded at the request level of $22,838,000.

FEDERAL ASSISTANCE

The conference agreement provides $10,000,000 above the request for the Citizenship and Integration Grant program. In addition, USCIS continues to have the authority to accept private donations to support this program. The Conferees direct USCIS to provide an update on its planned use of this authority not later than 30 days after the date of enactment of this Act, to include efforts undertaken to solicit private donations.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

OPERATIONS AND SUPPORT

The conference agreement provides an increase of $2,210,000 for the 2019 pay raise.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

A total of $50,943,000 is provided for modular dormitories, modular classrooms, tactical venues, and a tactical awareness training center.

SCIENCE AND TECHNOLOGY DIRECTORATE

OPERATIONS AND SUPPORT

A total of $308,520,000 is provided for Operations and Support

Laboratory Facilities

The total fully restores funding for laboratories, including operational costs of $1,900,000 for the Chemical Security Analysis Center (CSAC); $3,400,000 for the National Urban Security Technology Laboratory (NUSTL); and $28,689,000 for the National Biodefense Analysis and Countermeasures Center (NBACC).

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The conferees support the proposal to expand the Work for Others (WFO) program within NBACC and direct the Science and Technology Directorate (S&T) to provide a briefing within 30 days after the date of enactment of this Act, on the process established to document, streamline and approve WFO projects to include the following performance metrics: number of projects and total revenue generated for each of the next 5 fiscal years.

The conference agreement supports the transfer of National Bio and Agro-defense Facility operations funding and some personnel to the Agriculture Research Service within the Department of Agriculture. The agreement also aligns with the budget proposal for S&T to share funding responsibility for NBACC with the Federal Bureau of Investigation.

Acquisition and Operations Analysis

The total includes $48,510,000 for Acquisition and Operations Analysis including: $5,000,000 for the Office of Standards; $10,000,000 for the SAFETY Act program; $5,364,000 for Systems Engineering; and $1,152,000 for the 2019 pay raise.

Mission Support

The total includes $19,326,000 above the request for mission support activities to restore funding for the proposed Compliance Assessment Program Office and proposed information technology reductions, and to support the most recent personnel projections. This includes $8,541,000 for financial systems modernization.

The agreement includes an increase for official reception and representation expenses. Funds provided in excess of the amount provided in fiscal year 2018 for this purpose are to accommodate S&Ts increasing engagement with international partners.

RESEARCH AND DEVELOPMENT

A total of $511,265,000 is provided for Research and Development (R&D).

Research, Development, and Innovation

Funding is provided to continue prior-year research and development activities at S&T laboratories, including for Bio-Threat Characterization, which is funded at $18,427,000; Bio-Forensics R&D, which is funded at $5,682,000; CSAC R&D, which is funded at $4,393,000; Multifunction Detectors, which is funded at $3,099,000; and Explosives and Radiation/Nuclear Attack Resiliency, which is funded at $5,000,000. The agreement rejects the budget request's proposal to realign significant amounts of cybersecurity research to CISA and instead provides $89,062,000 for cybersecurity research at S&T. S&T should consider direction related to

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cybersecurity research associated with Senate Amendment 5 of the 116th Congress. S&T should consider allocating not less than $3,000,000 for the establishment of a cyber testbed consistent with direction contained in House Report 115–948.

Funding is also provided for new and other prior-year research and development activities, including for the Biometrics Technology Engine, which is funded at $4,500,000; the Data Analytics Engine, which is funded at $5,211,337; the Apex Next Generation Cyber Infrastructure Program, which is funded at $8,000,000; Apex Flood, which is funded at $10,000,000; Cargo and Port-of-Entry Security, which is funded at $31,705,000; Air Based Technologies, which is funded at $12,878,963; Port and Coastal Surveillance, which is funded at $16,750,000. Opioids/Fentanyl, which is funded at $8,500,000; Detection Canine, which is funded at $12,269,000. Soft Target and Crowded Places ,which is funded at $7,000,000; Explosives Threat Assessment, which is funded at $18,700,000; Counter-Unmanned Aerial Systems, which is funded at $13,000,000; Enabling Unmanned Aerial Systems, which is funded at $4,000,000; Software Assurance, which is funded at $7,295,286; Cyber Physical Systems, which is funded at $6,165,127; the Silicon Valley Innovation Program, which is funded at $10,000,000; First Responder Technologies, which is funded at $16,000,000; Partnership Intermediary Agreements, which is funded at $7,000,000; and Binational Cooperative Pilot, which is funded at $2,000,000.

S&T is directed to brief the Committees not later than 60 days after the date of enactment of this Act on the proposed allocation of Research, Development, and Innovation funds. The briefing shall address the planned use of funding provided.

The conference agreement restores the proposed cuts to University Programs to ensure S&T's ability to maintain 10 Centers of Excellence (COEs). S&T shall notify the Committees of any plan or proposal to reduce funding for, diminish the role of, or eliminate COEs prior to taking any action to do so. S&T is directed to provide a report on COEs within 90 days of the date of enactment of this Act as described on pages 67 and 68 of House Report 115–948.

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

Consistent with Public Law 115-387, the Countering Weapons of Mass Destruction (CWMD) Act of 2018, the conference agreement provides funding for the newly authorized CWMD Office, which consolidates the operations of the Domestic Nuclear Detection Office (DNDO), the Office of Health Affairs (OHA), and certain related activities and personnel from other components of the Department.

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OPERATIONS AND SUPPORT

Within the total amount provided, not less than $500,000 is to continue implementation of the voluntary anthrax vaccine program for emergency responders. The CWMD Office shall brief the Committees not later than 45 days after the date of enactment of this Act on the status of implementation of this program, including any plans for expansion beyond the initial pilot in the first community and associated costs.

The conferees understand the CWMD Office is in the process of completing an integrated biosurveillance program. However, it is unclear whether the requested funding will fully support the capabilities currently delivered by the National Biosurveillance Integration Center (NBIC) and the Joint Analysis Center. Therefore, within the amount provided, $5,000,000 above the request is to continue supporting the capabilities provided by NBIC and the Joint Analysis Center in order to provide situational awareness of biological threats for the Department, as well as federal, state, local, and private sectors partners.

The conferees encourage the CWMD Office to continue its engagement in support of a visualization tool that incorporates data from state and local entities that can serve as a bio-preparedness tool for emergency response, emergency management, and law enforcement at all levels of government.

The $25,200,000 requested under this heading for the acquisition of portable detection systems is instead provided under Procurement, Construction, and Improvements.

In lieu of direction regarding the non-pay level of funding, the CWMD Office shall provide a report on the non-pay funding level.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The conferees provide $100,096,000 for the acquisition and deployment of large scale and portable detection systems to detect radiological, nuclear, biological, and chemical threats.

RESEARCH AND DEVELOPMENT

The conferees provide $83,043,000, as requested.

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Of the total amount provided, $1,500,000 is for research and development of an active neutron interrogation system as described in Senate report 115–283.

The CWMD Office is directed to continue funding for research and development of new generation semiconductor materials.

TITLE IV—ADMINISTRATIVE PROVISIONS – THIS ACT

Section 401. The conference agreement continues a provision allowing USCIS to acquire, operate, equip, and dispose of up to five vehicles under certain scenarios.

Section 402. The conference agreement continues a provision prohibiting USCIS from granting immigration benefits unless the results of background checks are completed prior to the granting of the benefits and the results do not preclude the granting of the benefits.

Section 403. The conference agreement continues a provision limiting the use of A-76 competitions by USCIS.

Section 404. The conference agreement continues a provision authorizing the Director of the Federal Law Enforcement Training Centers (FLETC) to distribute funds for incurred training expenses.

Section 405. The conference agreement continues a provision directing the FLETC Accreditation Board to lead the federal law enforcement training accreditation process to measure and assess federal law enforcement training programs, facilities, and instructors.

Section 406. The conference agreement continues a provision allowing the acceptance of transfers from government agencies into "Federal Law Enforcement Training Center—Procurement, Construction, and Improvements".

Section 407. The conference agreement continues a provision classifying FLETC instructor staff as inherently governmental for certain considerations.

Section 408. The conference agreement includes a provision to allow for unexpended balances from S&T to be transferred to the Department of Agriculture to support the operations of the National Bio and Agro-defense Facility.

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TITLE V – GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFER OF FUNDS)

Section 501. The conference agreement continues a provision directing that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. The conference agreement continues a provision providing authority to merge unexpended balances of prior appropriations with new appropriation accounts, to be used for the same purpose, subject to reprogramming guidelines.

Section 503. The conference agreement continues a provision limiting reprogramming authority for funds within an appropriation and providing limited authority for transfers between appropriations. All components funded by the Department of Homeland Security Appropriations Act, 2019, must comply with these transfer and reprogramming requirements.

The Department must notify the Committees on Appropriations prior to each reprogramming of funds that would reduce programs, projects, activities, or personnel by ten percent or more. Notifications are also required for each reprogramming of funds that would increase a program, project, or activity by more than $5,000,000 or ten percent, whichever is less. The Department must submit these notifications to the Committees on Appropriations at least 15 days in advance of any such reprogramming.

For purposes of reprogramming notifications, "program, project, or activity" is defined as an amount identified in the detailed funding table located at the end of this statement or an amount directed for a specific purpose in this statement. Also for purposes of reprogramming notifications, the creation of a new program, project, or activity is defined as any significant new activity that has not been explicitly justified to the Congress in budget justification material and for which funds have not been appropriated by the Congress. For further guidance when determining which movements of funds are subject to section 503, the Department is reminded to follow GAO's definition of "program, project, or activity" as detailed in the GAO's *A Glossary of Terms Used in the Federal Budget Process*. Within 30 days of the date of enactment of this Act, the Department shall submit to the Committees a table delineating PPAs subject to section 503 notification requirements, as defined in this paragraph.

Limited transfer authority is provided to give the Department flexibility in responding to emerging requirements and significant changes in circumstances, but is not primarily intended to facilitate the implementation of new programs, projects, or activities that were not proposed in a

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formal budget submission. Transfers may not reduce accounts by more than five percent or increase accounts by more than ten percent. The Committees on Appropriations must be notified 30 days in advance of any transfer.

To avoid violations of the Anti-Deficiency Act, the Secretary shall ensure that any transfer of funds is carried out in compliance with the limitations and requirements of section 503(b). In particular, the Secretary should ensure that any such transfers adhere to the opinion of the Comptroller General's decision in *the Matter of: John D. Webster, Director, Financial Services, Library of Congress, dated November 7, 1997*, with regard to the definition of an appropriation subject to transfer limitations.

The Department shall submit notifications on a timely basis and provide complete explanations of the proposed reallocations, including detailed justifications for the increases and offsets, and any specific impact the proposed changes would have on the budget request for the following fiscal year and future-year appropriations requirements. Each notification submitted to the Committees should include a detailed table showing the proposed revisions to funding and FTE – at the account, program, project, and activity level –for the current fiscal year, along with any funding and FTE impacts on the budget year.

The Department shall manage its programs, projects, and activities within the levels appropriated, and should only submit reprogramming or transfer notifications in cases of unforeseeable and compelling circumstances that could not have been predicted when formulating the budget request for the current fiscal year. When the Department submits a reprogramming or transfer notification and does not receive identical responses from the House and Senate Committees, it is expected to reconcile the differences before proceeding.

The Department is not to submit a reprogramming or transfer notification after June 30 except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property. If an above-threshold reprogramming or a transfer is needed after June 30, the notification should contain sufficient documentation as to why it meets this statutory exception.

Deobligated funds are also subject to the reprogramming and transfer limitations and requirements set forth in section 503.

Section 503(f) authorizes the Secretary to transfer up to $20,000,000 to address immigration emergencies after notifying the Committees of such transfer at least five days in advance.

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Section 504. The conference agreement continues a provision by reference, prohibiting funds appropriated or otherwise made available to the Department to make payment to the Working Capital Fund (WCF), except for activities and amounts allowed in the President's fiscal year 2019 budget request. Funds provided to the WCF are available until expended. The Department can only charge components for direct usage of the WCF and these funds may be used only for the purposes consistent with the contributing component. Any funds paid in advance or for reimbursement must reflect the full cost of each service. The Department shall submit a notification prior to adding a new activity to the fund or eliminating an existing activity from the fund. For activities added to the fund, such notifications shall detail the source of funds by PPA. In addition, the Department shall submit quarterly WCF execution reports to the Committees that include activity level detail.

Section 505. The conference agreement continues a provision providing that not to exceed 50 percent of unobligated balances from prior-year appropriations for each Operations and Support appropriation, shall remain available through fiscal year 2020, subject to section 503 reprogramming requirements.

Section 506. The conference agreement continues a provision that deems intelligence activities to be specifically authorized during fiscal year 2019 until the enactment of an Act authorizing intelligence activities for fiscal year 2019.

Section 507. The conference agreement continues a provision requiring notification to the Committees at least three days before DHS executes or announces grant allocations; grant awards; contract awards, including contracts covered by the Federal Acquisition Regulation; other transaction agreements; letters of intent; task or delivery orders on multiple contract awards totaling $1,000,000 or more; a task or delivery orders greater than $10,000,000 from multi-year funds; or sole-source grant awards. Notifications shall include a description of the project or projects or activities to be funded and the location, including city, county, and state. If the Secretary determines that compliance would pose substantial risk to health, human life, or safety, an award may be made without prior notification but the Committees shall be notified within 5 full business days after such award or letter is issued.

Section 508. The conference agreement continues a provision prohibiting all agencies from purchasing, constructing, or leasing additional facilities for federal law enforcement training without advance notification to the Committees.

Section 509. The conference agreement continues a provision prohibiting the use of funds for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved.

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Section 510. The conference agreement continues a provision that includes and consolidates by reference prior-year statutory provisions related to a contracting officer's technical representative training; sensitive security information; and the use of funds in conformance with section 303 of the Energy Policy Act of 1992.

Section 511. The conference agreement continues a provision prohibiting the use of funds in contravention of the Buy American Act.

Section 512. The conference agreement continues a provision regarding the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Section 513. The conference agreement continues a provision that precludes DHS from using funds in this Act to carry out reorganization authority. This prohibition is not intended to prevent the Department from carrying out routine or small reallocations of personnel or functions within components, subject to section 503 of this Act. This section prevents large-scale reorganization of the Department, which should be acted on legislatively by the relevant congressional committees of jurisdiction. Any DHS proposal to reorganize components that is included as part of a budget request will be considered by the Committees.

Section 514. The conference agreement continues a provision prohibiting funds for planning, testing, piloting, or developing a national identification card.

Section 515. The conference agreement continues a provision directing that any official required by this Act to report or certify to the Committees on Appropriations may not delegate such authority unless expressly authorized to do so in this Act.

Section 516. The conference agreement continues a provision prohibiting the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba into or within the United States.

Section 517. The conference agreement continues a provision prohibiting funds in this Act to be used for first-class travel.

Section 518. The conference agreement continues a provision prohibiting the use of funds to employ illegal workers as described in Section 274A(h)(3) of the Immigration and Nationality Act.

Section 519. The conference agreement continues a provision prohibiting funds appropriated or otherwise made available by this Act to pay for award or incentive fees for

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contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 520. The conference agreement continues a provision prohibiting the use of funds to enter into a federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or chapter 137 of title 10 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 521. The conference agreement continues and modifies a provision providing $51,000,000 for financial systems modernization activities, which the Secretary may transfer between appropriations for the same purpose after notifying the Committees at least 15 days in advance.

Section 522. The conference agreement includes a provision requiring the Secretary to reduce administrative expenses from certain accounts.

Section 523. The conference agreement continues a provision requiring DHS computer systems to block electronic access to pornography, except for law enforcement purposes.

Section 524. The conference agreement continues a provision regarding the transfer of firearms by federal law enforcement personnel.

Section 525. The conference agreement continues a provision regarding funding restrictions and reporting requirements related to conferences occurring outside of the United States.

Section 526. The conference agreement continues a provision prohibiting funds to reimburse any federal department or agency for its participation in a National Special Security Event.

Section 527. The conference agreement continues a provision requiring a notification, including justification materials, prior to implementing any structural pay reform that affects more than 100 full-time positions or costs more than $5,000,000.

Section 528. The conference agreement continues a provision directing the Department to post on a public website reports required by the Committees on Appropriations unless public posting compromises homeland or national security or contains proprietary information.

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Section 529. The conference agreement continues and modifies a provision authorizing minor procurement, construction, and improvements under Operations and Support accounts.

Section 530. The conference agreement continues a provision to authorize discretionary funding for primary and secondary schooling of dependents in areas in territories that meet certain criteria. The provision provides limitations on the type of eligible funding sources.

Section 531. The conference agreement continues a provision providing $41,000,000 for "Federal Emergency Management Agency—Federal Assistance" to reimburse extraordinary law enforcement personnel overtime costs for protection activities directly and demonstrably associated with a residence of the President that is designated for protection.

Section 532. The conference agreement includes a provision regarding congressional visits to detention facilities.

Section 533. The conference agreement includes a provision prohibiting the use of funds to use restraints on pregnant detainees in DHS custody except in certain circumstances.

Section 534. The conference agreement includes a provision prohibiting the use of funds for the destruction of records related to the sexual abuse or assault of detainees in custody.

Section 535. The conference agreement continues a provision prohibiting funds for the Principal Federal Official during a Stafford Act declared disaster or emergency, with certain exceptions.

Section 536. The conference agreement continues a provision related to the Arms Trade Treaty.

Section 537. The conference agreement continues a provision requiring the Department to provide specific reductions in proposed discretionary budget authority commensurate with revenue assumed in the budget request from fees that have not been authorized prior to the beginning of the budget year.

Section 538. The conference agreement includes a provision rescinding lapsed balances pursuant to Section 505 of this bill.

Section 539. The conference agreement includes a provision rescinding unobligated balances from specified sources.

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Section 540. The conference agreement continues and modifies a provision rescinding specified funds from the Treasury Forfeiture Fund.

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
DEPARTMENT OF HOMELAND SECURITY					
TITLE I - DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, & OVERSIGHT					
Office of the Secretary and Executive Management					
Operations and Support					
Office of the Secretary	18,846	17,874	18,527	-319	+653
Office of Policy	40,524	34,683	37,950	-2,574	+3,267
Office of Public Affairs	5,123	5,085	5,321	+198	+236
Office of Legislative Affairs	5,000	4,992	5,462	+462	+470
Office of Partnership and Engagement	13,373	12,656	14,566	+1,193	+1,910
Office of General Counsel	18,501	19,463	19,379	+878	-84
Office for Civil Rights and Civil Liberties	23,571	20,825	25,312	+1,741	+4,487
Office of the Citizenship and Immigration Services Ombudsman	6,200	5,879	6,200	---	+321
Privacy Office	8,464	7,403	8,664	+200	+1,261
Total, Office of the Secretary and Executive Management	139,602	128,860	141,381	+1,779	+12,521

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Management Directorate					
Operations and Support					
Immediate Office of the Under Secretary for Management	6,770	7,730	7,788	+1,018	+58
Office of the Chief Readiness Support Officer	71,105	90,413	90,726	+19,621	+313
Office of the Chief Human Capital Officer	71,052	107,606	106,344	+35,292	-1,262
Office of the Chief Security Officer	74,963	78,868	79,431	+4,468	+563
Office of the Chief Procurement Officer	102,615	103,197	104,169	+1,554	+972
Office of the Chief Financial Officer	63,734	64,873	67,341	+3,607	+2,468
Office of the Chief Information Officer	320,058	382,017	397,230	+77,172	+15,213
Office of Biometric Identity Management					
Identity and Screening Program Operations	---	---	70,117	+70,117	+70,117
IDENT/Homeland Advanced Recognition Technology	---	---	160,691	+160,691	+160,691
Subtotal, Office of Biometric Identity Management	---	---	230,808	+230,808	+230,808
Subtotal, Operations and Support	710,297	834,704	1,083,837	+373,540	+249,133
Procurement, Construction, and Improvements					
Construction and Facility Improvements	---	171,149	120,000	+120,000	-51,149
Mission Support Assets and Infrastructure	29,569	74,920	35,920	+6,351	-39,000
IDENT/Homeland Advanced Recognition Technology	---	---	20,000	+20,000	+20,000
Subtotal, Procurement, Construction, and Improvements	29,569	246,069	175,920	+146,351	-70,149

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Research and Development	2,545	2,545	2,545	---	---
Total, Management Directorate	742,411	1,083,318	1,262,302	+519,891	+178,984
Intelligence, Analysis, and Operations Coordination					
Operations and Support	245,905	253,253	253,253	+7,348	---
Office of Inspector General					
Operations and Support	168,000	138,369	168,000	---	+29,631
(By transfer from Disaster Relief Fund)	---	(24,000)	---	---	(-24,000)
Total, Office of Inspector General (including transfer)	(168,000)	(162,369)	(168,000)	---	(+5,631)
Total, Title I, Departmental Management, Operations, Intelligence, and Oversight	1,295,918	1,603,800	1,824,936	+529,018	+221,136
(By transfer)	---	(24,000)	---	---	(-24,000)
Total, Title I, Gross Budget Authority	1,295,918	1,627,800	1,824,936	+529,018	+197,136

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Operations and Support					
Border Security Operations					
U.S. Border Patrol					
Operations	3,706,547	3,987,892	3,884,735	+178,188	-103,157
Assets and Support	625,151	708,952	794,117	+168,966	+85,165
Office of Training and Development	64,145	82,263	60,349	-3,796	-21,914
Subtotal, Border and Security Operations	4,395,843	4,779,107	4,739,201	+343,358	-39,906
Trade and Travel Operations					
Office of Field Operations					
Domestic Operations	2,818,122	2,780,958	2,942,710	+124,588	+161,752
International Operations	130,270	156,669	155,217	+24,947	-1,452
Targeting Operations	211,797	253,492	250,528	+38,731	-2,964
Assets and Support	870,657	876,866	892,174	+21,517	+15,308
Office of Trade	234,201	272,118	260,395	+26,194	-11,723
Office of Training and Development	49,195	47,268	61,677	+12,482	+14,409
Subtotal, Trade and Travel Operations	4,314,242	4,387,371	4,562,701	+248,459	+175,330

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Integrated Operations					
Air and Marine Operations					
Operations	291,479	310,176	306,506	+15,027	-3,670
Assets and Support	535,046	531,231	525,867	-9,179	-5,364
Air and Marine Operations Center	38,149	45,846	37,589	-560	-8,257
Office of International Affairs	35,176	44,244	41,700	+6,524	-2,544
Office of Intelligence	53,794	64,696	59,148	+5,354	-5,548
Office of Training and Development	6,110	5,633	6,546	+436	+913
Operations Support	106,225	109,762	112,235	+6,010	+2,473
Subtotal, Integrated Operations	1,065,979	1,111,588	1,089,591	+23,612	-21,997
Mission Support					
Enterprise Services	1,426,209	1,508,632	1,482,518	+56,309	-26,114
(Harbor Maintenance Trust Fund)	(3,274)	(3,274)	(3,274)	---	---
Office of Professional Responsibility	182,131	224,871	196,528	+14,397	-28,343
Executive Leadership and Oversight	100,760	108,074	109,190	+8,430	+1,116
Subtotal, Mission Support	1,709,100	1,841,577	1,788,236	+79,136	-53,341
Subtotal, Operations and Support	11,485,164	12,119,643	12,179,729	+694,565	+60,086

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Procurement, Construction, and Improvements					
Border Security Assets and Infrastructure	1,741,701	1,647,304	1,475,000	-266,701	-172,304
Trade and Travel Assets and Infrastructure	263,640	44,237	625,000	+361,360	+580,763
Integrated Operations Assets and Infrastructure					
Airframes and Sensors	190,035	83,241	112,612	-77,423	+29,371
Watercraft	8,573	---	14,500	+5,927	+14,500
Other Systems and Assets	1,200	---	---	-1,200	---
Construction and Facility Improvements	59,775	48,222	270,222	+210,447	+222,000
Mission Support Assets and Infrastructure	16,433	18,544	18,544	+2,111	---
Subtotal, Procurement, Construction, and Improvements	2,281,357	1,841,548	2,515,878	+234,521	+674,330
CBP Services at User Fee Facilities (Small Airport) (Permanent Indefinite Discretionary)	9,001	8,941	8,941	-60	---
Fee Funded Programs					
Immigration Inspection User Fee	(732,834)	(769,636)	(769,636)	(+36,802)	---
Immigration Enforcement Fines	(1,000)	(676)	(676)	(-324)	---
Electronic System for Travel Authorization (ESTA) Fee	(62,480)	(218,900)	(61,417)	(-1,063)	(-157,483)
Land Border Inspection Fee	(48,476)	(53,512)	(53,512)	(+5,036)	---
COBRA Passenger Inspection Fee	(562,151)	(594,978)	(594,978)	(+32,627)	---
APHIS Inspection Fee	(534,515)	(539,325)	(539,325)	(+4,810)	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Global Entry Fee	(159,000)	(165,961)	(165,961)	(+6,961)	---
Puerto Rico Trust Fund	(92,500)	(31,941)	(31,941)	(-60,559)	---
Virgin Island Fee	(11,170)	(7,795)	(7,795)	(-3,375)	---
Customs Unclaimed Goods	(5,992)	(1,461)	(1,461)	(-4,531)	---
9-11 Response and Biometric Exit Account	(90,550)	(71,000)	(71,000)	(-19,550)	---
Subtotal, Fee Funded Programs	2,300,668	2,455,185	2,297,702	-2,966	-157,483
Administrative Provisions					
Colombia Free Trade Act Collections	242,000	255,000	255,000	+13,000	---
Reimbursable Preclearance	39,000	39,000	39,000	---	---
Reimbursable Preclearance (Offsetting Collections)	-39,000	-39,000	-39,000	---	---
Total, Adminstrative Provisions	242,000	255,000	255,000	+13,000	---
Total, U.S. Customs and Border Protection	14,017,522	14,225,132	14,959,548	+942,026	+734,416
(Discretionary Funding)	(14,017,522)	(14,225,132)	(14,959,548)	(+942,026)	(+734,416)
(Appropriations)	(14,056,522)	(14,264,132)	(14,998,548)	(+942,026)	(+734,416)
(Offsetting Collections)	(-39,000)	(-39,000)	(-39,000)	---	---
Fee Funded Programs	2,300,668	2,455,185	2,297,702	-2,966	-157,483
Gross Budget Authority, U.S. Customs and Border Protection	16,357,190	16,719,317	17,296,250	+939,060	+576,933

AMERICAN OVERSIGHT

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
U.S. Immigration and Customs Enforcement					
Operations and Support					
Homeland Security Investigations					
Domestic Investigations	1,898,542	1,385,777	1,658,935	-239,607	+273,158
International Investigations	169,178	150,691	172,986	+3,808	+22,295
Intelligence	85,042	73,799	84,292	-750	+10,493
Subtotal, Homeland Security Investigations	2,152,762	1,610,267	1,916,213	-236,549	+305,946
Enforcement and Removal Operations					
Custody Operations	3,075,686	3,520,476	3,170,845	+95,159	-349,631
Fugitive Operations	158,805	255,864	125,969	-32,836	-129,895
Criminal Alien Program	319,440	619,109	219,074	-100,366	-400,035
Alternatives to Detention	187,205	184,446	274,621	+87,416	+90,175
Transportation and Removal Program	369,201	511,058	483,348	+114,147	-27,710
Subtotal, Enforcement and Removal Operations	4,110,337	5,090,953	4,273,857	+163,520	-817,096
Mission Support	458,558	1,214,436	1,091,898	+633,340	-122,538
Office of the Principal Legal Advisor	272,318	305,443	260,185	-12,133	-45,258
Subtotal, Operations and Support	6,993,975	8,221,099	7,542,153	+548,178	-678,946

AMERICAN OVERSIGHT

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Procurement, Construction, and Improvements					
Operational Communications/Information Technology	21,839	30,859	30,859	+9,020	---
Construction and Facility Improvements	29,000	34,872	10,000	-19,000	-24,872
Mission Support Assets and Infrastructure	31,060	4,700	4,700	-26,360	---
Subtotal, Procurement, Construction, and Improvements	81,899	70,431	45,559	-36,340	-24,872
Fee Funded Programs					
Immigration Inspection User Fee	(135,000)	(135,000)	(135,000)	---	---
Breached Bond/Detention Fund	(55,000)	(55,000)	(55,000)	---	---
Student Exchange and Visitor Fee	(186,610)	(128,000)	(128,000)	(-58,610)	---
Immigration Examination Fee Account	---	(207,600)	---	---	(-207,600)
Subtotal, Fee Funded Programs	376,610	525,600	318,000	-58,610	-207,600
Total, U.S. Immigration and Customs Enforcement	7,075,874	8,291,530	7,567,712	+511,838	-703,818
(Discretionary Funding)	(7,075,874)	(8,291,530)	(7,587,712)	(+511,838)	(-703,818)
(Non-Defense)	(7,075,874)	(8,291,530)	(7,587,712)	(+511,838)	(-703,818)
(Appropriations)	(7,075,874)	(8,291,530)	(7,587,712)	(+511,838)	(-703,818)
Fee Funded Programs	376,610	525,600	318,000	-58,610	-207,600
Gross Budget Authority, U.S. Immigration and Customs Enforcement	7,452,484	8,817,130	7,905,712	+453,228	-911,418

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Transportation Security Administration					
Operations and Support					
Aviation Screening Operations					
Screening Workforce					
Screening Partnership Program	184,936	181,382	197,062	+12,126	+15,680
Screener Personnel, Compensation, and Benefits	3,229,026	3,191,783	3,347,774	+118,748	+155,991
Screener Training and Other	232,985	218,738	230,234	-2,751	+11,496
Airport Management	646,053	647,541	658,479	+12,426	+10,938
Canines	151,764	152,226	164,597	+12,833	+12,371
Screening Technology Maintenance	397,882	382,927	398,137	+255	+15,210
Secure Flight	106,856	113,882	114,406	+7,550	+524
Subtotal, Aviation Screening Operations	4,949,502	4,888,479	5,110,689	+161,187	+222,210
Other Operations and Enforcement					
Inflight Security					
Federal Air Marshals	779,000	779,210	763,598	-15,402	-15,612
Federal Flight Deck Officer and Crew Training	19,514	19,539	22,615	+3,101	+3,076
Aviation Regulation	218,535	171,905	220,235	+1,700	+48,330
Air Cargo	102,721	103,572	104,629	+1,908	+1,057
Intelligence and TSOC	79,790	79,524	80,324	+534	+800
Surface programs	129,316	73,818	130,141	+825	+56,323
Vetting Programs	60,215	52,770	53,016	-7,199	+246
Subtotal, Other Operations and Enforcement	1,389,091	1,280,338	1,374,558	-14,533	+94,220

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Mission Support	869,258	907,133	924,632	+55,574	+17,699
Subtotal, Operations and Support (Gross)	7,207,851	7,075,950	7,410,079	+202,228	+334,129
Aviation Passenger Security Fees (offsetting collections)	-2,470,000	-2,670,000	-2,670,000	-200,000	---
Passenger Security Fee Increase (offsetting collections)(legislative proposal)	---	-520,000	---	---	+520,000
Subtotal, Operations and Support (Net)	4,737,851	3,885,950	4,740,079	+2,228	+854,129
Procurement, Construction, and Improvements					
Aviation Screening Infrastructure					
Checkpoint Support	68,019	74,422	94,422	+26,403	+20,000
Checked Baggage	83,004	35,367	75,367	-7,637	+40,000
Infrastructure for Other Operations					
Vetting Programs	16,291	29,840	---	-16,291	-29,840
Subtotal, Procurement, Construction, and Improvements	167,314	139,629	169,789	+2,475	+30,160
Research and Development	20,190	20,594	20,594	+404	---
Fee Funded Programs					
TWIC Fee	(64,449)	(65,535)	(65,535)	(+1,086)	---
Hazardous Materials Endorsement Fee	(20,200)	(18,500)	(18,500)	(-1,700)	---
General Aviation at DCA Fee	(560)	(700)	(700)	(+140)	---
Commercial Aviation and Airports Fee	(8,000)	(8,000)	(8,000)	---	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Other Security Threat Assessments Fee	(50)	(50)	(50)	---	---
Air Cargo/Certified Cargo Screening Program Fee	(5,200)	(5,000)	(5,000)	(-200)	---
TSA PreCheck Fee	(136,900)	(136,900)	(136,900)	---	---
Alien Flight School Fee	(5,200)	(5,200)	(5,200)	---	---
Subtotal, Fee Funded Programs	(240,559)	(239,885)	(239,885)	(-674)	---
Aviation Security Capital Fund (Mandatory)	(250,000)	(250,000)	(250,000)	---	---
Total, Transportation Security Administration	4,925,355	4,046,173	4,930,462	+5,107	+884,289
(Discretionary Funding)	(4,925,355)	(4,046,173)	(4,930,462)	(+5,107)	(+884,289)
(Discretionary Appropriations)	(7,395,355)	(7,238,173)	(7,600,462)	(+205,107)	(+364,289)
(Offsetting Collections)	(-2,470,000)	(-2,670,000)	(-2,670,000)	(-200,000)	---
(Offsetting Collections) (Legislative Proposals)	---	(-520,000)	---	---	(+520,000)
Aviation Security Capital Fund (mandatory)	250,000	250,000	250,000	---	---
Fee Funded Programs	240,559	239,885	239,885	-674	---
Gross Budget Authority, Transportation Security Administration	7,665,914	7,726,058	8,090,347	+204,433	+364,289

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Coast Guard					
Operations and Support					
Military Pay and Allowances	3,716,444	3,851,095	3,864,816	+148,372	+13,721
Civilian Pay and Benefits	847,678	929,385	939,707	+92,029	+10,322
Training and Recruiting	191,015	187,991	189,983	-1,032	+1,992
Operating Funds and Unit Level Maintenance	897,171	907,894	919,533	+22,362	+11,639
Centrally Managed Accounts	142,788	143,641	161,441	+18,653	+17,800
Intermediate and Depot Level Maintenance	1,415,217	1,442,048	1,436,494	+21,277	-5,554
Reserve Training	---	117,655	117,758	+117,758	+103
Environmental Compliance and Restoration	---	13,429	13,469	+13,469	+40
Overseas Contingency Operations/Global War on Terrorism (Defense)	163,000	---	165,000	+2,000	+165,000
Subtotal, Operations and Support	7,373,313	7,593,136	7,808,201	+434,888	+215,063
(Non-Defense)	(6,870,313)	(7,253,138)	(7,303,201)	(+432,888)	(+50,063)
(Defense)	(503,000)	(340,000)	(505,000)	(+2,000)	(+165,000)
(Overseas Contingency Operations/Global War on Terrorism)	(163,000)	---	(165,000)	(+2,000)	(+165,000)
(Other Defense)	(340,000)	(340,000)	(340,000)	---	---
Procurement, Construction, and Improvements					
Vessels					
Survey and Design-Vessels and Boats	4,500	500	5,500	+1,000	+5,000
In-Service Vessel Sustainment	60,500	63,250	63,250	+2,750	---
National Security Cutter	1,241,000	65,000	72,600	-1,168,400	+7,600
Offshore Patrol Cutter	500,000	400,000	400,000	-100,000	---
Fast Response Cutter	340,000	240,000	340,000	---	+100,000

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Cutter Boats	1,000	5,000	5,000	+4,000	---
Polar Security Cutter	19,000	750,000	675,000	+656,000	-75,000
Inland Waterways and Western River Cutters	26,100	5,000	5,000	-21,100	---
Polar Sustainment	---	15,000	15,000	+15,000	---
Subtotal, Vessels	2,192,100	1,543,750	1,581,350	-610,750	+37,600
Aircraft					
HC-144 Conversion/Sustainment	---	17,000	17,000	+17,000	---
HC-27J Conversion/Sustainment	70,000	80,000	80,000	+10,000	---
HC-130J Acquisition/Conversion/Sustainment	100,600	---	105,000	+4,400	+105,000
HH-65 Conversion/Sustainment Projects	22,000	20,000	28,000	+6,000	+8,000
MH-60T Sustainment	2,500	25,000	120,000	+117,500	+95,000
Small Unmanned Aircraft Systems	500	6,000	6,000	+5,500	---
Subtotal, Aircraft	195,600	148,000	356,000	+160,400	+208,000
Other Acquisition Programs					
Other Equipment and Systems	4,000	3,500	3,500	-500	---
Program Oversight and Management	15,000	20,000	20,000	+5,000	---
C4ISR	22,000	23,300	23,300	+1,300	---
CG-Logistics Information Management System (CG-LIMS)	9,800	13,200	9,200	-600	-4,000
Subtotal, Other Acquisition Programs	50,600	60,000	56,000	+5,200	-4,000

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Shore Facilities and Aids to Navigation					
Major Construction; Housing; ATON; and Survey and Design	42,400	30,000	74,510	+32,110	+44,510
Major Acquisition Systems Infrastructure	87,100	100,000	175,400	+88,300	+75,400
Minor Shore	5,000	5,000	5,000	---	---
Subtotal, Shore Facilities and Aids to Navigation	134,500	135,000	254,910	+120,410	+119,910
Personnel and Related Support Costs	121,745	---	---	-121,745	---
Subtotal, Procurement, Construction, and Improvements	2,694,745	1,886,750	2,248,260	-446,485	+361,510
Research and Development	29,141	19,109	20,256	-8,885	+1,147
Environmental Compliance and Restoration	13,397	---	---	-13,397	---
Reserve Training	114,875	---	---	-114,875	---
Health Care Fund Contribution (Permanent Indefinite Discretionary)	204,136	199,360	199,360	-4,776	---
Retired Pay (Mandatory)	1,676,117	1,739,844	1,739,844	+63,727	---

AMERICAN OVERSIGHT

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Administrative Provisions					
Coast Guard Continuation of Pay	2,000	---	---	-2,000	---
Total, Coast Guard	12,107,724	11,438,201	12,015,921	-91,803	+577,720
(Discretionary Funding)	(10,431,607)	(9,698,357)	(10,276,077)	(-155,530)	(+577,720)
(Non-Defense)	(9,928,607)	(9,358,357)	(9,771,077)	(-157,530)	(+412,720)
(Defense)	(503,000)	(340,000)	(505,000)	(+2,000)	(+165,000)
(Overseas Contingency Operations/Global War on Terrorism)	(163,000)	---	(165,000)	(+2,000)	(+165,000)
(Other Defense)	(340,000)	(340,000)	(340,000)	---	---
(Mandatory Funding)	(1,676,117)	(1,739,844)	(1,739,844)	(+63,727)	---
United States Secret Service					
Operations and Support					
Protective Operations					
Protection of Persons and Facilities	711,227	747,201	740,895	+29,668	-6,306
Protective Countermeasures	46,862	55,309	56,917	+10,055	+1,608
Protective Intelligence	47,814	48,239	49,395	+1,581	+1,156
Presidential Campaigns and National Special Security Events	4,500	28,500	37,494	+32,994	+8,994
Subtotal, Protective Operations	810,403	879,249	884,701	+74,298	+5,452

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Field Operations					
Domestic and International Field Operations	596,478	627,687	647,905	+51,427	+20,218
Support for Missing and Exploited Children Investigations	6,000	6,000	6,000	---	---
Support for Computer Forensics Training	18,778	4,000	25,022	+6,244	+21,022
Subtotal, Field Operations	621,256	837,687	878,927	+57,671	+41,240
Basic and In-Service Training and Professional Development	64,212	101,854	102,923	+38,711	+1,069
Mission Support	419,923	465,518	481,977	+62,054	+16,459
Subtotal, Operations and Support	1,915,794	2,084,308	2,148,528	+232,734	+84,220
Procurement, Construction, and Improvements					
Protection Assets and Infrastructure	65,462	52,971	85,286	+19,824	+32,315
Operational Communications/Information Technology	25,018	8,845	8,845	-16,173	---
Construction and Facility Improvements	---	3,000	3,000	+3,000	---
Subtotal, Procurement, Construction, and Improvements	90,480	64,818	97,131	+6,651	+32,315

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Research and Development	250	2,500	2,500	+2,250	---
Total, United States Secret Service	2,006,524	2,151,624	2,248,159	+241,635	+96,535
Total, Title II, Security, Enforcement, and Investigations	40,132,999	40,152,660	41,741,802	+1,608,803	+1,589,142
(Discretionary Funding)	(38,456,882)	(38,412,816)	(40,001,958)	(+1,545,076)	(+1,589,142)
(Non-Defense)	(37,953,882)	(38,072,816)	(39,496,958)	(+1,543,076)	(+1,424,142)
(Appropriations)	(40,462,882)	(41,301,816)	(42,205,958)	(+1,743,076)	(+904,142)
(Offsetting Collections)	(-2,509,000)	(-2,709,000)	(-2,709,000)	(-200,000)	---
(Offsetting Collections)(Leg. Proposals)	---	(-520,000)	---	---	(+520,000)
(Defense)	(503,000)	(340,000)	(505,000)	(+2,000)	(+165,000)
(Overseas Contingency Operations/Global War on Terrorism)	(163,000)	---	(165,000)	(+2,000)	(+165,000)
(Other Defense)	(340,000)	(340,000)	(340,000)	---	---
(Mandatory Funding)	(1,676,117)	(1,739,844)	(1,739,844)	(+63,727)	---
Aviation Security Capital Fund (Mandatory)	250,000	250,000	250,000	---	---
Fee Funded Programs	2,917,837	3,220,670	2,855,587	-62,250	-365,083

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE III - PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
Cybersecurity and Infrastructure Security Agency					
Operations and Support					
Cybersecurity					
Cyber Readiness and Response					
NCCIC Operations	136,439	140,049	164,579	+28,140	+24,530
NCCIC Planning and Exercises	107,553	84,347	107,656	+103	+23,309
Subtotal, Cyber Readiness and Response	243,992	224,396	272,235	+28,243	+47,839
Cyber Infrastructure and Resilience					
Cybersecurity Advisors	14,693	6,860	14,918	+225	+8,058
Enhanced Cybersecurity Services	17,157	13,097	13,115	-4,042	+18
Cybersecurity Education and Awareness	14,393	10,102	18,538	+4,145	+8,436
Subtotal, Cyber Infrastructure and Resilience	46,243	30,059	46,571	+328	+16,512

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Cybersecurity					
Federal Network Resilience	42,766	49,834	50,133	+7,367	+299
Continuous Diagnostics and Mitigation	102,681	112,089	115,872	+13,191	+3,783
National Cybersecurity Protection System	287,226	296,677	297,262	+10,036	+585
Subtotal, Federal Cybersecurity	432,673	458,600	463,267	+30,594	+4,667
Subtotal, Cybersecurity	722,908	713,055	782,073	+59,165	+69,018
Infrastructure Protection					
Infrastructure Capacity Building					
Sector Risk Management	47,612	55,859	47,403	-209	-8,456
Protective Security Advisors	35,677	39,114	44,140	+8,483	+5,026
Bombing Prevention	16,199	14,752	17,277	+1,078	+2,525
Infrastructure Information and Sensitive Data Protection	22,288	19,457	19,650	-2,638	+193
Subtotal, Infrastructure Capacity Building	121,776	129,182	128,470	+8,694	-712
Infrastructure Security Compliance	72,440	76,853	74,435	+1,995	-2,418
Subtotal, Infrastructure Protection	194,216	206,035	202,905	+8,689	-3,130
Emergency Communications					
Emergency Communications Preparedness	54,501	51,785	54,069	-432	+2,284

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Priority Telecommunications Service					
GETS/WPS/SRAS/TSP	56,319	56,293	56,344	+25	+51
Next Generation Networks Priority Services	7,636	7,618	7,656	+20	+38
Subtotal, Priority Telecommunications Service	63,955	63,911	64,000	+45	+89
Subtotal, Emergency Communications	118,456	115,696	118,069	-387	+2,373
Integrated Operations					
Cyber and Infrastructure Analysis					
National Infrastructure Simulation Analysis Center (NISAC)	18,650	8,912	18,650	---	+9,738
Infrastructure Analysis	37,760	35,771	58,486	+20,726	+22,715
Subtotal, Cyber and Infrastructure Analysis	56,410	44,683	77,136	+20,726	+32,453
Critical Infrastructure Situational Awareness	21,222	23,429	27,351	+6,129	+3,922
(Defense)	(19,312)	(21,320)	(24,889)	(+5,577)	(+3,569)
Stakeholder Engagement and Requirements	50,583	45,127	45,386	-5,197	+259
(Defense)	(45,525)	(40,614)	(40,847)	(-4,678)	(+233)
Strategy, Policy and Plans	14,448	13,931	12,979	-1,469	-952
(Defense)	(9,536)	(9,194)	(8,566)	(-970)	(-628)
Subtotal, Integrated Operations	142,663	127,170	162,852	+20,189	+35,682

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of Biometric Identity Management					
Identity and Screening Program Operations	68,826	89,590	---	-68,826	-89,590
IDENT/Homeland Advanced Recognition Technology	150,603	160,691	---	-150,603	-160,691
Subtotal, Office of Biometric Identity Management	219,429	230,281	---	-219,429	-230,281
Mission Support	84,493	78,103	79,903	-4,590	+1,800
(Defense)	(26,193)	(24,212)	(24,770)	(-1,423)	(+558)
Subtotal, Operations and Support	1,482,165	1,470,340	1,345,802	-136,363	-124,538
Federal Protective Service					
FPS Operations					
Operating Expenses	360,079	359,196	359,196	-883	---
Countermeasures					
Protective Security Officers	1,071,286	1,121,883	1,121,883	+50,597	---
Technical Countermeasures	44,690	46,031	46,031	+1,341	---
Subtotal, Countermeasures	1,115,976	1,167,914	1,167,914	+51,938	---
Subtotal, Federal Protective Service (Gross)	1,476,055	1,527,110	1,527,110	+51,055	---
Offsetting Collections	-1,476,055	-1,527,110	-1,527,110	-51,055	---
Subtotal, Federal Protective Service (Net)	---	---	---	---	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Procurement, Construction, and Improvements					
Cybersecurity					
Continuous Diagnostics and Mitigation	246,981	125,548	160,000	-86,981	+34,452
National Cybersecurity Protection System	115,186	110,078	95,078	-20,108	-15,000
Subtotal, Cybersecurity	362,167	235,626	255,078	-107,089	+19,452
Emergency Communications					
Next Generation Networks Priority Services	48,905	42,551	42,551	-6,354	---
Biometric Identity Management					
IDENT/Homeland Advanced Recognition Technology	---	20,000	---	---	-20,000
Integrated Operations Assets and Infrastructure					
Modeling Capability Transition Environment	500	---	413	-87	+413
Infrastructure Protection					
Infrastructure Protection (IP) Gateway	2,539	4,787	9,787	+7,248	+5,000
Construction and Facilities Improvements					
Pensacola Corry Station Facilities	---	---	15,000	+15,000	+15,000
Subtotal, Procurement, Construction, and Improvements	414,111	302,964	322,829	-91,282	+19,865

AMERICAN OVERSIGHT

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Research and Development					
Cybersecurity	4,695	41,416	4,695	---	-36,721
Infrastructure Protection	6,431	2,431	3,216	-3,215	+785
Integrated Operations	4,000	4,000	5,215	+1,215	+1,215
Subtotal, Research and Development	15,126	47,847	13,126	-2,000	-34,721
Total, Cybersecurity and Infrastructure Security Agency	1,911,402	1,821,151	1,681,757	-229,645	-139,394
(Discretionary Funding)	(1,911,402)	(1,821,151)	(1,681,757)	(-229,645)	(-139,394)
(Non-Defense)	(289,609)	(315,531)	(66,547)	(-223,062)	(-248,984)
(Appropriations)	(1,765,664)	(1,842,641)	(1,593,657)	(-172,007)	(-248,984)
(Offsetting Collections)	(-1,476,055)	(-1,527,110)	(-1,527,110)	(-51,055)	---
(Defense)	(1,621,793)	(1,505,620)	(1,615,210)	(-6,583)	(+109,590)
Office of Health Affairs					
Operations and Support					
Chemical and Biological Readiness	79,130	---	---	-79,130	---
Health and Medical Readiness	4,620	---	---	-4,620	---
Integrated Operations	9,400	---	---	-9,400	---
Mission Support	28,419	---	---	-28,419	---
Subtotal, Operations and Support	121,569	---	---	-121,569	---
Total, Office of Health Affairs	121,569	---	---	-121,569	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Emergency Management Agency					
Operations and Support					
Regional Operations	156,417	158,439	159,971	+3,554	+1,532
Mitigation	36,141	36,011	37,999	+1,858	+1,988
Preparedness and Protection	131,981	132,823	133,455	+1,474	+632
Response and Recovery					
Response	182,893	174,337	194,419	+11,526	+20,082
(Urban Search and Rescue)	(35,180)	(27,513)	(45,330)	(+10,150)	(+17,817)
Recovery	46,694	49,010	48,252	+1,558	-758
Mission Support	476,009	485,662	492,162	+16,153	+6,500
Subtotal, Operations and Support	1,030,135	1,036,282	1,066,258	+36,123	+29,976
(Defense)	(42,945)	(42,213)	(42,213)	(-732)	---
Procurement, Construction, and Improvements					
Operational Communications/Information Technology	12,018	11,670	11,670	-348	---
Construction and Facility Improvements	44,519	46,996	71,996	+27,477	+25,000
Mission Support, Assets, and Infrastructure	28,739	44,683	50,164	+21,425	+5,481
Subtotal, Procurement, Construction, and Improvements	85,276	103,349	133,830	+48,554	+30,481
(Defense)	(53,262)	(57,166)	(62,166)	(+8,904)	(+5,000)

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Assistance					
Grants					
State Homeland Security Grant Program	507,000	349,362	525,000	+18,000	+175,638
(Operation Stonegarden)	(85,000)	---	(90,000)	(+5,000)	(+90,000)
(Nonprofit Security)	(10,000)	---	(10,000)	---	(+10,000)
Urban Area Security Initiative	630,000	448,844	640,000	+10,000	+191,156
(Nonprofit Security)	(50,000)	---	(50,000)	---	(+50,000)
Public Transportation Security Assistance	100,000	36,358	100,000	---	+63,642
(Amtrak Security)	(10,000)	---	(10,000)	---	(+10,000)
(Over-the-Road Bus Security)	(2,000)	---	(2,000)	---	(+2,000)
Port Security Grants	100,000	36,358	100,000	---	+63,642
Assistance to Firefighter Grants	350,000	344,344	350,000	---	+5,656
Staffing for Adequate Fire and Emergency Response (SAFER) Grants	350,000	344,344	350,000	---	+5,656
Emergency Management Performance Grants	350,000	279,335	350,000	---	+70,665
Competitive Preparedness Grants Program	---	522,000	---	---	-522,000
National Predisaster Mitigation Fund	249,200	39,016	---	-249,200	-39,016
Flood Hazard Mapping and Risk Analysis Program	262,531	100,000	262,531	---	+162,531
Regional Catastrophic Preparedness Grants	---	---	10,000	+10,000	+10,000
High Hazard Potential Dams	---	---	10,000	+10,000	+10,000
Emergency Food and Shelter	120,000	---	120,000	---	+120,000
Subtotal, Grants	3,018,731	2,499,961	2,817,531	-201,200	+317,570

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Education, Training, and Exercises					
Center for Domestic Preparedness	63,939	63,756	66,057	+2,118	+2,301
Center for Homeland Defense and Security	18,000	---	18,000	---	+18,000
Emergency Management Institute	20,569	18,876	20,741	+172	+1,865
U.S. Fire Administration	42,900	43,493	44,179	+1,279	+686
National Domestic Preparedness Consortium	101,000	---	101,000	---	+101,000
Continuing Training Grants	8,000	---	8,000	---	+8,000
National Exercise Program	20,793	18,647	18,702	-2,091	+55
Subtotal, Education, Training, and Exercises	275,201	144,772	276,679	+1,478	+131,907
Subtotal, Federal Assistance	3,293,932	2,644,733	3,094,210	-199,722	+449,477
Disaster Relief Fund					
Base Disaster Relief	534,720	582,000	558,000	+23,280	-24,000
Disaster Relief Category	7,366,000	6,652,000	12,000,000	+4,634,000	+5,348,000
Subtotal, Disaster Relief Fund (Gross)	7,900,720	7,234,000	12,558,000	+4,657,280	+5,324,000
(Transfer to Office of Inspector General)	---	(-24,000)	---	---	(+24,000)
(Base DRF Offset from Prior Year Unobligated Funds)	---	---	-300,000	-300,000	-300,000
Subtotal, Disaster Relief Fund (Net)	7,900,720	7,210,000	12,258,000	+4,357,280	+5,048,000

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Flood Insurance Fund					
Floodplain Management and Mapping	189,927	187,907	188,295	-1,632	+388
Mission Support	13,573	13,784	13,858	+285	+74
Subtotal, National Flood Insurance Fund	203,500	201,691	202,153	-1,347	+462
Offsetting Fee Collections	-203,500	-201,691	-202,153	+1,347	-462
Disaster Assistance Direct Loan Program	---	3,000	---	---	-3,000
Administrative Provisions					
Radiological Emergency Preparedness Program	-1,024	-665	-665	+359	---
Total, Federal Emergency Management Agency	12,309,039	11,020,699	16,551,633	+4,242,594	+5,530,934
(Non-Defense)	(12,212,832)	(10,921,320)	(16,447,254)	(+4,234,422)	(+5,525,934)
(Appropriations)	(5,050,332)	(4,471,011)	(4,949,407)	(-100,925)	(+478,396)
(Offsetting Collections)	(-203,500)	(-201,691)	(-202,153)	(+1,347)	(-462)
(Disaster Relief Category)	(7,366,000)	(6,652,000)	(12,000,000)	(+4,634,000)	(+5,348,000)
(Derived from Prior Year Unobligated Balances)	---	---	(-300,000)	(-300,000)	(-300,000)
(Defense)	(96,207)	(99,379)	(104,379)	(+8,172)	(+5,000)
(Transfer Out)	---	-24,000	---	---	+24,000
Gross budgetary resources, Federal Emergency Management Agency	12,512,539	11,198,390	17,053,786	+4,541,247	+5,855,396

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Total, Title III, Protection, Preparedness, Response, and Recovery	14,342,010	12,841,850	18,233,390	+3,891,380	+5,391,540
(Discretionary Funding)	(14,342,010)	(12,841,850)	(18,233,390)	(+3,891,380)	(+5,391,540)
(Non-Defense)	(12,624,010)	(11,236,851)	(16,513,801)	(+3,889,791)	(+5,276,950)
(Appropriations)	(6,937,565)	(6,313,652)	(6,543,064)	(-394,501)	(+229,412)
(Offsetting Collections)	(-1,679,555)	(-1,728,801)	(-1,729,263)	(-49,708)	(-462)
(Disaster Relief Category)	(7,366,000)	(6,652,000)	(12,000,000)	(+4,634,000)	(+5,348,000)
(Derived from Prior Year Unobligated Balances)	---	---	(-300,000)	(-300,000)	(-300,000)
(Defense)	(1,718,000)	(1,604,999)	(1,719,589)	(+1,589)	(+114,590)
(Transfer out)	---	(-24,000)	---	---	(+24,000)
Gross budgetary resources, Title III	16,021,565	14,546,651	20,262,653	+4,241,088	+5,716,002
TITLE IV - RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES					
U.S. Citizenship and Immigration Services					
Operations and Support					
Employment Status Verification	108,856	109,081	109,688	+832	+607
Procurement, Construction, and Improvements	22,657	22,838	22,838	+181	---
Federal Assistance	---	---	10,000	+10,000	+10,000

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Fee Funded Programs					
Immigration Examinations Fee Account					
Adjudication Services					
District Operations	(1,805,941)	(1,938,508)	(1,883,816)	(+77,875)	(-54,692)
(Immigrant Integration Grants)	(10,000)	(10,000)	---	(-10,000)	(-10,000)
Service Center Operations	(687,491)	(767,263)	(731,654)	(+44,163)	(-35,609)
Asylum, Refugee, and International Operations	(345,100)	(356,206)	(337,544)	(-7,556)	(-18,662)
Records Operations	(137,526)	(150,941)	(152,649)	(+15,123)	(+1,708)
Premium Processing (Including Transformation)	(642,746)	(643,423)	(648,007)	(+5,261)	(+4,584)
Subtotal, Adjudication Services	(3,618,804)	(3,856,341)	(3,753,670)	(+134,866)	(-102,671)
Information and Customer Services					
Operating Expenses	(108,146)	(112,493)	(119,450)	(+11,304)	(+6,957)
Administration					
Operating Expenses	(504,615)	(519,002)	(616,622)	(+112,007)	(+97,620)
Systematic Alien Verification for Entitlements (SAVE)	(36,774)	(37,514)	(35,112)	(-1,662)	(-2,402)
Subtotal, Immigration Examinations Fee Account	(4,268,339)	(4,525,350)	(4,524,854)	(+256,515)	(-496)
H1-B Non-Immigrant Petitioner Account					
Adjudication Services					
Service Center Operations	(15,000)	(15,000)	(15,000)	---	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Fraud Prevention and Detection Account					
Adjudication Services					
District Operations	(45,101)	(27,178)	(27,333)	(-17,768)	(+155)
Service Center Operations	(21,778)	(19,815)	(20,156)	(-1,622)	(+341)
Asylum and Refugee Operating Expenses	(308)	(308)	(308)	---	---
Subtotal, Fraud Prevention and Detection Account	(67,187)	(47,301)	(47,797)	(-19,390)	(+496)
Subtotal, Fee Funded Programs	(4,350,526)	(4,587,651)	(4,587,651)	(+237,125)	---
Administrative Provisions					
Immigration Authorization Extensions	1,000	---	---	-1,000	---
Total, U.S. Citizenship and Immigration Services	132,513	131,919	142,526	+10,013	+10,607
Fee Funded Programs	4,350,526	4,587,651	4,587,651	+237,125	---
Gross Budget Authority, U.S. Citizenship and Immigration Services	4,483,039	4,719,570	4,730,177	+247,138	+10,607
Federal Law Enforcement Training Centers					
Operations and Support					
Law Enforcement Training	225,966	267,749	248,681	+22,715	-19,068
Mission Support	28,034	28,808	29,195	+1,161	+387
Subtotal, Operations and Support	254,000	296,557	277,876	+23,876	-18,681

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Procurement, Construction, and Improvements					
Construction and Facility Improvements	---	85,577	50,943	+50,943	-34,634
Total, Federal Law Enforcement Training Centers	254,000	382,134	328,819	+74,819	-53,315
Science and Technology Directorate					
Operations and Support					
Laboratory Facilities	150,116	110,519	121,952	-28,164	+11,433
Acquisition and Operations Analysis	46,245	42,552	48,510	+2,265	+5,958
Mission Support	134,752	118,732	138,058	+3,306	+19,326
Subotal, Operations and Support	331,113	271,803	308,520	-22,593	+36,717
Research and Development					
Research, Development, and Innovation	469,330	289,734	470,765	+1,435	+181,031
University Programs	40,500	21,746	40,500	---	+18,754
Subotal, Research and Development	509,830	311,480	511,265	+1,435	+199,785
Total, Science and Technology Directorate	840,943	583,283	819,785	-21,158	+236,502
Domestic Nuclear Detection Office					
Operations and Support					
Mission Support	54,664	---	---	-54,664	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Procurement, Construction, and Improvements					
Large Scale Detection Systems	64,524	---	---	-64,524	---
Human Portable Rad/Nuclear Detection Systems	24,572	---	---	-24,572	---
Subotal, Procurement, Construction, and Improvements	89,096	---	---	-89,096	---
Research and Development					
Architecture Planning and Analysis	15,937	---	---	-15,937	---
Transformational Research and Development	62,081	---	---	-62,081	---
Detection Capability Development	15,155	---	---	-15,155	---
Detection Capability Assessments	34,127	---	---	-34,127	---
Nuclear Forensics	18,361	---	---	-18,361	---
Subtotal, Research and Development	145,661	---	---	-145,661	---
Federal Assistance					
Federal, State, Local, Territorial, and Tribal Support	24,884	---	---	-24,884	---
Securing the Cities	21,135	---	---	-21,135	---
Subtotal, Federal Assistance	46,019	---	---	-46,019	---
Total, Domestic Nuclear Detection Office	335,440	---	---	-335,440	---

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Countering Weapons of Mass Destruction Office					
Operations and Support					
Capability and Operations Support	---	125,943	103,176	+103,176	-22,767
Mission Support	---	83,321	83,919	+83,919	+598
Subtotal, Operations and Support	---	209,264	187,095	+187,095	-22,169
Procurement, Construction, and Improvements					
Large Scale Detection Systems	---	---	74,896	+74,896	+74,896
Portable Detection Systems	---	---	25,200	+25,200	+25,200
Assets and Infrastructure Acquisition	---	74,896	---	---	-74,896
Subtotal, Procurement, Construction, and Improvements	---	74,896	100,096	+100,096	+25,200
Research and Development					
Transformational R&D/Technical Forensics					
Transformational R&D	---	---	37,002	+37,002	+37,002
Technical Forensics	---	---	7,100	+7,100	+7,100
Subtotal, Transformational R&D/Technical Forensics	---	---	44,102	+44,102	+44,102

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Detection Capability Development and Rapid Capabilities					
Detection Capability Development	---	---	30,941	+30,941	+30,941
Rapid Capabilities	---	---	8,000	+8,000	+8,000
Subtotal, Detection Capability Development and Rapid Capabilities	---	---	38,941	+38,941	+38,941
CWMD Research and Development	---	80,443	---	---	-80,443
Subtotal, Research and Development	---	80,443	83,043	+83,043	+2,600
Federal Assistance					
Capability Building					
Training, Exercises, and Readiness	---	---	9,110	+9,110	+9,110
Securing the Cities	---	---	30,000	+30,000	+30,000
Biological Support	---	---	25,553	+25,553	+25,553
Subtotal, Capability Building	---	---	64,663	+64,663	+64,663
Total, Countering Weapons of Mass Destruction	---	364,603	434,897	+434,897	+70,294
Total, Title IV, Research and Development, Training, and Services	1,562,896	1,461,939	1,726,027	+163,131	+264,088
Fee Funded Programs	4,350,526	4,587,651	4,587,651	+237,125	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE V - GENERAL PROVISIONS					
Financial Systems Modernization	41,800	---	51,000	+9,200	+51,000
Presidential Residence Protection Assistance	41,000	---	41,000	---	+41,000
Analysis and Operations (P.L. 115-31) (Rescission)	-4,307	---	---	+4,307	---
TSA Operations and Support (P.L. 115-141) (FY18) (Rescission)	---	---	-33,870	-33,870	-33,870
TSA Operations and Support (P.L. 115-31) (FY17) (Rescission)	-44,557	---	---	+44,557	---
Coast Guard AC&I (P.L. 114-4) (FY15) (Rescission)	---	---	-7,400	-7,400	-7,400
Coast Guard AC&I (P.L. 114-113) (FY16) (Rescission)	-25,000	---	-5,200	+19,800	-5,200
Coast Guard Alteration of Bridges (P.L. 108-334) (FY05) (Rescission)	-1,786	---	---	+1,786	---
Coast Guard Alteration of Bridges (P.L. 109-90) (FY06) (Rescission)	-1,920	---	---	+1,920	---
Coast Guard Alteration of Bridges (P.L. 109-295) (FY07) (Rescission)	-1,791	---	---	+1,791	---
Coast Guard Alteration of Bridges (P.L. 110-61) (FY08) (Rescission)	-3,222	---	---	+3,222	---
Coast Guard Alteration of Bridges (P.L. 111-83) (FY10) (Rescission)	-3,681	---	---	+3,681	---
Coast Guard RDT&E (P.L. 115-31) (FY17) (Rescission)	---	---	-17,045	-17,045	-17,045
S&T RDA&O (PL114-113) (FY16) (Rescission)	-2,000	---	---	+2,000	---
S&T O&S (PL115-31) (FY17) (Rescission)	-2,000	---	---	+2,000	---
S&T R&D (PL115-31) (FY17) (Rescission)	-6,000	---	---	+6,000	---
DNDO Federal Assistance (P.L. 115-141) (FY18) (Rescission)	---	---	-17,200	-17,200	-17,200

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
DHS administrative savings (Rescission)	---	---	-12,000	-12,000	-12,000
Legacy Funds (Rescission)	-100	---	-51	+49	-51
DHS Lapsed Balances (non-defense) (Rescission)	-27,980	---	-8,956	+19,024	-8,956
DHS Lapsed Balances (defense) (Rescission)	---	---	-1,589	-1,589	-1,589
Treasury Asset Forfeiture Fund (Rescission)	-364,162	---	-200,000	+164,162	-200,000
FEMA Disaster Relief Fund (DRF) (Rescission)	---	-300,000	---	---	+300,000
Total, Title V, General Provisions	-405,706	-300,000	-211,311	+194,395	+88,689
(Discretionary Funding)	(62,800)	---	(92,000)	(+9,200)	(+92,000)
(Rescissions/Cancellations)	(-488,506)	(-300,000)	(-303,311)	(+185,195)	(-3,311)
(Non-defense)	(-488,506)	(-300,000)	(-301,722)	(+186,784)	(-1,722)
(Defense)	---	---	(-1,589)	(-1,589)	(-1,589)

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
OTHER APPROPRIATIONS					
ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS, 2017 (P.L. 115-72)					
Federal Emergency Management Agency					
Disaster Relief Fund (emergency)	18,670,000	---	---	-18,670,000	---
National Flood Insurance Fund (debt cancellation) (Sec. 308) (emergency)	16,000,000	---	---	-16,000,000	---
Total, Additional Supplemental Appropriations for Disaster Relief Requirements (P.L. 115-72)	34,670,000	---	---	-34,670,000	---
(emergency)	34,670,000	---	---	-34,670,000	---
BIPARTISAN BUDGET ACT OF 2018					
Office of Inspector General					
Operations and Support (emergency)	25,000	---	---	-25,000	---
U.S. Customs and Border Support					
Operations and Support (emergency)	104,494	---	---	-104,494	---
Procurement, Constructions, and Improvements (emergency)	45,000	---	---	-45,000	---
Subtotal, U.S. Customs and Border Support	149,494	---	---	-149,494	---

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
U.S. Immigrations and Customs Enforcement					
Operations and Support (emergency)	30,905	---	---	-30,905	---
Procurement, Constructions, and Improvements (emergency)	33,052	---	---	-33,052	---
Subtotal, U.S. Immigrations and Customs Enforcement	63,957	---	---	-63,957	---
Transportation Security Administration					
Operations and Support (emergency)	10,322	---	---	-10,322	---
Subtotal, Transportation Security Administration	10,322	---	---	-10,322	---
Coast Guard					
Operating Expenses (emergency)	112,136	---	---	-112,136	---
Environmental Compliance and Restoration (emergency)	4,038	---	---	-4,038	---
Acquisistion, Construction, and Improvements (emergency)	718,919	---	---	-718,919	---
Subtotal, Coast Guard	835,093	---	---	-835,093	---

AMERICAN OVERSIGHT

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Emergency Management Agency					
Operations and Support (emergency)	58,800	---	---	-58,800	---
Procurement, Constructions, and Improvements (emergency)	1,200	---	---	-1,200	---
Disaster Relief Fund (emergency)	23,500,000	---	---	-23,500,000	---
Subtotal, Federal Emergency Management Agency	23,560,000	---	---	-23,560,000	---
Federal Law Enforcement Training Centers					
Operations and Support (emergency)	5,374	---	---	-5,374	---
Procurement, Constructions, and Improvements (emergency)	5,000	---	---	-5,000	---
Subtotal, Federal Law Enforcement Training Centers	10,374	---	---	-10,374	---
Total, Bipartisan Budget Act of 2018	24,654,240	---	---	-24,654,240	---
(Defense)	1,200	---	---	-1,200	---
(Emergency)	24,654,240	---	---	-24,654,240	---
Total, Other Appropriations	59,324,240	---	---	-59,324,240	---
(emergency appropriations)	59,324,240	---	---	-59,324,240	---
(Defense)	1,200	---	---	-1,200	---
(Nondefense)	59,323,040	---	---	-59,323,040	---

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Grand Total	116,252,357	55,760,249	63,314,844	-52,937,513	+7,554,595
(Discretionary Funding)	(114,576,240)	(54,020,405)	(61,575,000)	(-53,001,240)	(+7,554,595)
(Non-Defense)	(112,355,240)	(52,075,406)	(59,352,000)	(-53,003,240)	(+7,276,594)
(Appropriations)	(50,342,061)	(50,681,207)	(52,391,985)	(+2,049,924)	(+1,710,778)
(Emergency Appropriations)	(59,324,240)	---	---	(-59,324,240)	---
(Offsetting Collections)	(-4,188,555)	(-4,437,801)	(-4,438,263)	(-249,708)	(-462)
(Offsetting Collections)(Legislative Proposals)	---	(-520,000)	---	---	(+520,000)
(Disaster Relief Category)	(7,366,000)	(6,652,000)	(12,000,000)	(+4,634,000)	(+5,348,000)
(Rescissions)	(-488,506)	(-300,000)	(-301,722)	(+186,784)	(-1,722)
(Derived from Prior Year Unobligated Balances)	---	---	-300,000	-300,000	-300,000
(Defense)	(2,221,000)	(1,944,999)	(2,223,000)	(+2,000)	(+278,001)
(Overseas Contingency on Operations/Global War on Terrorism)	(163,000)	---	(165,000)	(+2,000)	(+165,000)
(Other Defense)	(2,058,000)	(1,944,999)	(2,058,000)	---	(+113,001)
(Appropriations)	(2,058,000)	(1,944,999)	(2,059,589)	(+1,589)	(+114,590)
(Rescissions)	---	---	(-1,589)	(-1,589)	(-1,589)
(Mandatory Funding)	(1,676,117)	(1,739,844)	(1,739,844)	(+63,727)	---

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DIVISION B – AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

CONGRESSIONAL DIRECTIVES

The explanatory statement is silent on provisions that were in both the House Report (H.Rpt. 115-706) and Senate Report (S.Rpt. 115-259) that remain unchanged by this conference agreement, except as noted in this explanatory statement.

The conference agreement restates that executive branch wishes cannot substitute for Congress's own statements as to the best evidence of congressional intentions, which are the official reports of the Congress. The conference agreement further points out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed by the explanatory statement is approved and indicates congressional intentions. The explanatory statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations no later than 60 days after enactment of this Act, unless otherwise directed.

Hereafter, in division B of this statement, the term 'the Committees' refers to the Committees on Appropriations of the House of Representatives and the Senate.

For the appropriations provided by this Act and previous Acts, the departments and agencies funded by this conference agreement are reminded that the Committees use the definitions for transfer, reprogramming, and program, project, and activity as defined by the Government Accountability Office (GAO) in GAO-04-261SP Appropriations Law—Vol. I and GAO-05-734SP Budget Glossary.

A transfer is the shifting of funds between appropriations. It applies to (1) transfers from one agency to another, (2) transfers from one account to another within the same agency, and (3) transfers to an interagency or intra-agency working fund. In each instance, statutory authority is required.

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Reprogramming is the utilization of funds in an appropriation account for purposes other than those contemplated at the time of appropriation. It is the shifting of funds from one object to another within an appropriation.

A program, project, or activity (PPA) is an element within a budget account. PPAs are identified by reference to include the most specific level of budget items identified in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Act, 2019, accompanying Committee reports, explanatory statements, the Statement of Managers, and budget justifications. Program activity structures are intended to provide a meaningful representation of the operations financed by a specific budget account by project, activity, or organization.

For fiscal year 2019, the Committees continue to include bill language requiring advanced notification of certain agency actions. Notification will be required at least 30 days in advance of any action if (1) a major capital investment is modified; (2) an office is realigned or reorganized; and (3) activities are carried out that were not described in the budget request.

The conference agreement directs the Office of Budget and Program Analysis (OBPA) of the U.S. Department of Agriculture (USDA) to provide an organizational chart for each agency funded by this Act to the division and subdivision level, as appropriate, by March 1, 2019. The conference agreement also directs the Food and Drug Administration (FDA) and the Farm Credit Administration (FCA) to provide an organizational chart of each agency respectively to the division and subdivision level, as appropriate, by March 1, 2019.

Further, USDA and FDA should be mindful of Congressional authority to determine and set final funding levels for fiscal year 2020. Therefore, the agencies should not presuppose program funding outcomes and prematurely initiate action to redirect staffing prior to knowing final outcomes on fiscal year 2020 program funding. The conference agreement directs OBPA to provide the Committees with the number of staff years and employees on board for each agency funded by this Act on a quarterly basis.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Agriculture and the Commissioner of Food and Drugs shall enter into a formal agreement delineating the responsibilities of the two agencies for the regulation of cell-cultured food products derived from livestock and poultry. Such agreement shall be made public on the USDA and FDA websites within one day of the completion of the agreement.

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TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $46,603,000 for the Office of the Secretary.

In addition to updates provided to the Committees, the Department is directed to include in its fiscal year 2020 Congressional Justification, as a single exhibit, a table listing all deliverables, with a column for due dates if applicable.

The conference agreement includes continued investment towards providing access to high-speed broadband infrastructure and services to rural areas of the United States. The conference agreement continues to provide resources for broadband deployment through the Broadband Loan program, Community Connect grant program, Distance Learning and Telemedicine program and an additional $550,000,000 for the broadband pilot program established in section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141). To ensure these investments are maximized, the conference agreement reminds the Department to avoid efforts that could duplicate existing networks built by private investment or those built leveraging and utilizing other federal programs and directs the Secretary of Agriculture to coordinate with the Federal Communications Commission (FCC) and the National Telecommunications Information Administration (NTIA) to ensure wherever possible that broadband loans and grants issued under the broadband programs are targeted to areas that are currently unserved. In particular, the conference agreement directs USDA to utilize the NTIA's assessment of the current state of broadband access nationwide, which includes the identification of existing infrastructure, gaps, and opportunities for more efficient deployment. In implementing a strategy for broadband deployment to unserved communities, the Department shall explore utilizing all technologies, including but not limited to, fiber, cable modem, fixed wireless, and television white space as a means of building sustainable rural infrastructure for the modern economy. The amounts made available for the broadband pilot program, as with the Rural Economic Development Loan Program shall remain available until expended.

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MULTI-HHS-18-0600-A and 18-604-A-001652

The conferees encourage the Secretary to work with stakeholders to develop accepted remediation protocols that will allow for the repurposing of poultry growing facilities into controlled environment agriculture facilities safe for food production.

The conferees are concerned about the unknown costs associated with the proposed move of the National Institutes of Food and Agriculture and the Economic Research Service to a new location outside of the National Capital Region. In submitting the fiscal year 2020 budget justification, the Department is directed to include all cost estimates for the proposed move of the two agencies, as well as a detailed analysis of any research benefits of their relocation. There is an expectation that this process will be followed in the future for any other potential proposed agency relocations by the Department.

The conferees support an indefinite delay in the proposed transfer of ERS to the Office of the Chief Economist. At this time, the conferees find it appropriate for ERS to remain under the Research, Education and Economics mission area. The conferees take this position as several questions remain about the merits of the proposed transfer as well as the proposed relocation of ERS outside of the National Capital Region. Insufficient information and justification relating to the reorganization and relocation make moving forward on these proposals premature at this time.

The conferees await the cost-benefit analysis of the National Finance Center and accompanying sufficiency review by the Comptroller General of the United States as directed in P.L. 115-141. The conferees remind the Department of enacted language prohibiting the initiating, planning, developing, implementing, or making of any changes to remove or relocate any systems, missions, or functions of the offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress.

The following table reflects the conference agreement:

Office of the Secretary
(Dollars in Thousands)

Office of the Secretary	$5,051
Assistant to the Secretary for Rural Development	800
Office of Homeland Security	1,496
Office of Partnerships and Public Engagement	4,711
Office of Assistant Secretary for Administration	875

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Departmental Administration	22,301
Office of Assistant Secretary for Congressional Relations	3,869
Office of Communications	7,500
Total, Office of the Secretary	$46,603

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

The conference agreement provides $21,286,000 for the Office of the Chief Economist.

The conferees provide an increase of $1,000,000 for policy research under 7 U.S.C. 3155 as well as an increase of $500,000 to support the growing needs of economic and policy analysis required for multilateral and bilateral trade initiatives.

The amount includes $2,869,000 for the Office of Pest Management Policy.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides $15,222,000 for the Office of Hearings and Appeals.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides $9,525,000 for the Office of Budget and Program Analysis.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides $55,630,000 for the Office of the Chief Information Officer, including $38,000,000 for cybersecurity activities.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides $6,028,000 for the Office of the Chief Financial Officer.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

The conference agreement provides $901,000 for the Office of the Assistant Secretary for Civil Rights.

OFFICE OF CIVIL RIGHTS

The conference agreement provides $24,206,000 for the Office of Civil Rights.

AGRICULTURE BUILDINGS AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $59,967,000 for Agriculture Buildings and Facilities.

HAZARDOUS MATERIALS MANAGEMENT

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(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $3,503,000 for Hazardous Materials Management.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $98,208,000 for the Office of Inspector General.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $45,146,000 for the Office of General Counsel.

The conference agreement provides an increase of $600,000 for international trade activities.

OFFICE OF ETHICS

The conference agreement provides $4,136,000 for the Office of Ethics.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

The conference agreement provides $800,000 for the Office of the Under Secretary for Research, Education, and Economics.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $86,757,000 for the Economic Research Service.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $174,517,000 for the National Agricultural Statistics Service, including up to $45,300,000 for the Census of Agriculture.

The conferees provide an additional $600,000 for the Geospatial Improvement Initiative and an increase of $500,000 for the Floriculture Crops Report.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides $1,303,266,000 for the Agricultural Research Service (ARS), Salaries and Expenses.

The conferees do not accept the President's budget request regarding the termination of research programs, redirections of research programs, or closure of research locations. The conferees expect extramural research to be funded at no less than the fiscal year 2018 levels. The conferees provide funding increases for cotton ginning, alfalfa, small grains genomics, postharvest dairy research, marine aquaculture seedstock, sugarcane, high performance computing, sugar beets, salmonella, the Pollinator Center, warmwater aquaculture, poultry, fruit fly and exotic pest control, chronic wasting disease, the Pulse Crop Health Initiative, coffee

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germplasm, citrus germplasm, feed enhancement, food systems at land-grant institutions, greenhouse technology, long-term agro-ecosystem research, hops research, resilient dryland research, wheat and sorghum, shellfish genetics, sudden oak death, industrial hemp, oats, cranberry and blueberry research, whitefly research, and human nutrition.

The conferees recognize that the Department proposes to transfer the responsibility for operational planning, and future operations of the National Bio and Agro-Defense Facility (NBAF) to USDA and support the fiscal year 2019 funding request to allow NBAF to be fully operational by December 31, 2022. The conferees appreciate the joint DHS/USDA transition team working to identify and outline transition activities to address all requirements for the timely operational stand-up of NBAF. The conferees provide $10,600,000 to address one-time costs associated with the transfer of the science program from the Plum Island Animal Disease Center to NBAF and $42,000,000 to address stand-up activities and other initial costs to operate and maintain the facility.

NBAF will provide the U.S. with expanded capacity to implement a comprehensive biodefense research program to protect against foreign animal diseases that pose the greatest threats to animal agriculture and public health. The conferees provide an additional $5,000,000 for ARS to increase research efforts on foreign animal diseases and emerging diseases with high consequence to animal and public health.

The Committees have read the quarterly reports on animal welfare issues submitted by ARS. While providing helpful information, on some issues, ARS did not report a single specific negative finding by APHIS inspectors, despite the fact that numerous violations have been found involving the death of numerous animals and serious health issues of many more. The failure to report these problems to the Committees is unacceptable. The conferees direct ARS to submit a single report covering all violations found by APHIS to date and the specific actions taken to prevent them from recurring within 60 days of enactment. They also direct ARS to continue to submit quarterly reports that include all violations found by APHIS during that quarter and the specific actions that will be taken to prevent their recurrence. The quarterly reports shall also include each issue found by APHIS inspectors at the pre-compliance inspections of newly-covered research activities and the remedial actions taken.

The conferees recognize the need for advancements in dryland production practices, cropping, and equipment to increase profitability, conserve the soil, enhance soil water storage,

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promote soil health, and decrease reliance on herbicides. The conferees provide an additional $2,000,000 to expand research focused on resilient dryland farming.

BUILDINGS AND FACILITIES

The conference agreement provides $381,200,000 for ARS Buildings and Facilities for the next highest priorities identified on the 2012 USDA ARS Capital Investment Strategy and 2015 ARS Co-located Cooperator Facility Report.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $927,649,000 for the National Institute of Food and Agriculture, Research and Education Activities.

The conferees include bill language providing $5,000,000 for grants to the three Centers of Excellence established at the 1890 Land Grant Universities on the occasion of the 125th anniversary of the Second Morrill Act of 1890.

The following table reflects the conference agreement:

National Institute of Food and Agriculture
Research and Education Activities
(Dollars in Thousands)

Hatch Act	7 U.S.C. 361a-i	$259,000
McIntire-Stennis Cooperative Forestry Act	16 U.S.C. 582a through a-7	36,000
Research at 1890 Institutions (Evans-Allen Program)	7 U.S.C. 3222	58,000
Payments to the 1994 Institutions	7 U.S.C. 301 note	3,439
Education Grants for 1890 Institutions	7 U.S.C. 3152(b)	19,336
Education Grants for Hispanic-Serving Institutions	7 U.S.C. 3241	9,219
Education Grants for Alaska Native and Native Hawaiian-Serving Institutions	7 U.S.C. 3156	3,194
Research Grants for 1994 Institutions	7 U.S.C. 301 note	3,801
Capacity Building for Non Land-Grant Colleges of Agriculture	7 U.S.C. 3319i	5,000
Grants for Insular Areas	7 U.S.C. 3222b-2, 3362 and 3363	2,000
Agriculture and Food Research Initiative	7 U.S.C. 450i(b)	415,000
Veterinary Medicine Loan Repayment	7 U.S.C. 3151a	8,000
Veterinary Services Grant Program	7 U.S.C. 3151b	3,000
Continuing Animal Health and Disease Research Program	7 U.S.C. 3195	4,000
Supplemental and Alternative Crops	7 U.S.C. 3319d	1,000
Multicultural Scholars, Graduate Fellowship and Institution Challenge Grants	7 U.S.C. 3152(b)	9,000

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Secondary and 2-year Post-Secondary Education	7 U.S.C. 3152(j)	900
Aquaculture Centers	7 U.S.C. 3322	5,000
Sustainable Agriculture Research and Education	7 U.S.C. 5811, 5812, 5831, and 5832	37,000
Farm Business Management	7 U.S.C. 5925f	2,000
Sun Grant Program	7 U.S.C. 8114	3,000
Alfalfa and Forage Research Program	7 U.S.C. 5925	3,000
Minor Crop Pest Management (IR-4)	7 U.S.C. 450i(c)	11,913
Special Research Grants:	7 U.S.C. 450i(c)	
Global Change/UV Monitoring		1,405
Potato Research		2,750
Aquaculture Research		2,000
Total, Special Research Grants		6,155
Necessary Expenses of Research and Education Activities:		
Grants Management System		7,830
Federal Administration—Other Necessary Expenses for Research and Education Activities		11,862
Total, Necessary Expenses		19,692
Total, Research and Education Activities		$927,649

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The conference agreement provides $11,880,000 for the Native American Institutions Endowment Fund.

EXTENSION ACTIVITIES

The conference agreement provides $505,692,000 for the National Institute of Food and Agriculture, Extension Activities.

The conferees provide $3,000,000 for the Rural Health and Safety Education Program to address the opioid abuse epidemic and to combat opioid abuse in rural communities.

The following table reflects the conference agreement:

National Institute of Food and Agriculture
Extension Activities
(Dollars in Thousands)

Smith-Lever, Section 3(b) and (c) programs and Cooperative Extension	7 U.S.C. 343(b) and (c) and 208(c) of P.L. 93-471	$315,000
Extension Services at 1890 Institutions	7 U.S.C. 3221	48,620
Extension Services at 1994 Institutions	7 U.S.C. 343(b)(3)	6,446
Facility Improvements at 1890 Institutions	7 U.S.C. 3222b	19,730
Renewable Resources Extension Act	16 U.S.C. 1671 et seq.	4,060
Rural Health and Safety Education Programs	7 U.S.C. 2662(i)	3,000
Food Animal Residue Avoidance Database Program	7 U.S.C. 7642	2,500

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Women and Minorities in STEM Fields	7 U.S.C. 5925	400
Food Safety Outreach Program	7 U.S.C. 7625	8,000
Food & Ag Service Learning	7 U.S.C. 7633	1,000
Farmer Stress Assistance Network		2,000
Smith-Lever, Section 3(d):	7 U.S.C. 343(d)	
Food and Nutrition Education		69,000
Farm Safety and Youth Farm Safety Education Programs		4,610
New Technologies for Agricultural Extension		1,550
Children, Youth, and Families at Risk		8,395
Federally Recognized Tribes Extension Program		3,039
Total, Section 3(d)		86,594
Necessary Expenses of Extension Activities:		
Agriculture in the K-12 Classroom	7 U.S.C. 3152(j)	552
Federal Administration—Other Necessary Expenses for Extension Activities		7,790
Total, Necessary Expenses		8,342
Total, Extension Activities		$505,692

INTEGRATED ACTIVITIES

The conference agreement provides $38,000,000 for the National Institute of Food and Agriculture, Integrated Activities.

The following table reflects the amounts provided by the conference agreement:

National Institute of Food and Agriculture
Integrated Activities
(Dollars in Thousands)

Methyl Bromide Transition Program	7 U.S.C. 7626	$2,000
Organic Transition Program	7 U.S.C. 7626	6,000
Regional Rural Development Centers	7 U.S.C. 450i(c)	2,000
Food and Agriculture Defense Initiative	7 U.S.C. 3351	8,000
Crop Protection/Pest Management Program	7 U.S.C. 7626	20,000
Total, Integrated Activities		$38,000

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides $901,000 for the Office of the Under Secretary for Marketing and Regulatory Programs.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $1,011,136,000 for the Animal and Plant Health Inspection Service (APHIS), Salaries and Expenses.

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The conferees provide a net increase of $34,243,000 for high priority initiatives in order to protect the plant and animal resources of the Nation from pests and diseases. Within the increase total, the conferees include the following: $800,000 for the Equine, Cervid, and Small Ruminant Health program to help address chronic wasting disease and support for the National Scrapie Eradication Program; $10,600,000 for the Veterinary Diagnostics program to carry out the science program at the National Bio- and Agro-defense Facility program; $1,000,000 for Agricultural Quarantine Inspection in support of pre-departure and interline inspection efforts; $2,500,000 for Field Crop and Rangeland Ecosystems Pests in order to control or eradicate pests destroying Roseau cane in wetlands near the Mississippi River Delta as well as funds for APHIS to partner with states in the control and eradication of the cogongrass weed; $12,843,000 for Specialty Crop Pests, including $12,000,000 for the control or eradication of the spotted lanternfly; $4,000,000 for Tree and Wood Pests; $500,000 for Animal Welfare; and, $2,000,000 for the Overseas Technical and Trade Operations Program to assist U.S. producers whose agricultural exports are blocked due to unfair sanitary and phytosanitary issues.

The conferees direct APHIS to send copies of all inspection reports for current ARS facilities and newly covered ARS facilities, including pre-compliance reports, to the Committees.

The conferees include no less than $4,000,000 for cervid health activities. Within the funds provided, APHIS should give consideration to indemnity payments if warranted.

The conferees support efforts to address potential gaps in farm-specific antimicrobial resistance data. At the same time, the agency is reminded that any information collected on-farm should be done through the National Animal Health Monitoring System (NAHMS), keeping respondents anonymous and ensuring that all information collected is protected from release or distribution in a manner that could identify an individual respondent.

The conferees remain concerned with the invasive species scale insect pest that is destroying Roseau cane in the Mississippi River's Delta region along the Gulf of Mexico. The conferees direct APHIS to continue work with the Agricultural Research Service (ARS) and stakeholders and provide an additional $500,000 to further develop an integrated management program for control of the Roseau cane scale insect pest infestation.

The conferees include $28,000,000 under Wildlife Damage Management for national rabies management, surveillance, and eradication efforts and $2,000,000 for Wildlife Services education and training. The conference agreement also provides $1,600,000 for combatting

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wildlife depredation to catfish production and maintain fiscal year 2018 funding levels for feral swine surveillance. Additionally, no less than $250,000 should be available for the agency to reduce blackbird depredation in the Northern Great Plains.

The conferees provide $2,000,000 for APHIS to partner with state departments of agriculture and forestry commissions in states considered to be the epicenter of infestations, to assist with control and treatment of cogongrass in order to slow the advancing front of this invasive plant-pest species and its impact on forest productivity, wildlife habitat, and private landowners.

The following table reflects the conference agreement:

Animal and Plant Health Inspection Service
(Dollars in Thousands)

Animal Health Technical Services	$37,857
Aquatic Animal Health	2,253
Avian Health	62,840
Cattle Health	96,500
Equine, Cervid & Small Ruminant Health	20,800
National Veterinary Stockpile	5,725
Swine Health	24,800
Veterinary Biologics	16,417
Veterinary Diagnostics	50,140
Zoonotic Disease Management	16,523
Subtotal, Animal Health	333,855
Agricultural Quarantine Inspection (Appropriated)	32,330
Cotton Pests	11,520
Field Crop & Rangeland Ecosystems Pests	11,826
Pest Detection	27,446
Plant Protection Methods Development	20,686
Specialty Crop Pests	186,013
Tree & Wood Pests	60,000
Subtotal, Plant Health	349,821
Wildlife Damage Management	108,376
Wildlife Services Methods Development	18,856
Subtotal, Wildlife Services	127,232
Animal & Plant Health Regulatory Enforcement	16,224
Biotechnology Regulatory Services	18,875
Subtotal, Regulatory Services	35,099
Contingency Fund	470
Emergency Preparedness & Response	40,966

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Subtotal, Emergency Management	41,436
Agriculture Import/Export	15,599
Overseas Technical & Trade Operations	24,115
Subtotal, Safe Trade	39,714
Animal Welfare	31,310
Horse Protection	705
Subtotal, Animal Welfare	32,015
APHIS Information Technology Infrastructure	4,251
Physical/Operational Security	5,146
Rent and DHS Security Payments	42,567
Subtotal, Agency Management	51,964
Total, Direct Appropriation	$1,011,136

BUILDINGS AND FACILITIES

The conference agreement provides $3,175,000 for APHIS Buildings and Facilities.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $159,095,000 for Agricultural Marketing Service.

The conference agreement includes $4,000,000 for the Acer Access and Development Program; $1,500,000 for marketing activities relating to dairy products; $2,000,000 for the continued implementation of the National Bioengineered Food Disclosure Standard; an increase of $2,000,000 for the National Organic Program; and $1,000,000 for rural infrastructure.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation on administrative expenses of $61,227,000.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $20,705,000 for Funds for Strengthening Markets, Income, and Supply.

The following table reflects the status of this fund for fiscal year 2019:

Estimated Total Funds Available and Balance Carried Forward

(Dollars in Thousands)

Appropriation (30% of Customs Receipts)	$10,624,198
Less Transfers:	
Food and Nutrition Service	-9,092,218
Commerce Department	-157,980

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Total, Transfers	-9,250,198
Budget Authority, Farm Bill	1,374,000
Appropriations Temporarily Reduced – Sequestration	-74,400
Budget Authority, Appropriations Act	1,299,600
Less Obligations:	
Child Nutrition Programs (Entitlement Commodities)	485,000
State Option Contract	5,000
Removal of Defective Commodities	2,500
Disaster Relief	5,000
Additional Fruits, Vegetables, and Nuts Purchases	206,000
Fresh Fruit and Vegetable Program	174,000
Estimated Future Needs	365,542
Total, Commodity Procurement	1,243,042
Administrative Funds:	
Commodity Purchase Support	35,853
Marketing Agreements and Orders	20,705
Total, Administrative Funds	*56,558*
Total Obligations	$1,299,600

PAYMENTS TO STATES AND POSSESSIONS

The conference agreement provides $1,235,000 for Payments to States and Possessions.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

The conference agreement includes a limitation on inspection and weighing services expenses of $55,000,000.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides $800,000 for the Office of the Under Secretary for Food Safety.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $1,049,344,000 for the Food Safety and Inspection Service (FSIS).

The following table reflects the conference agreement:

Food Safety and Inspection Service
(Dollars in Thousands)

Federal	$936,324

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State	61,682
International	16,758
Public Health Data Communications Infrastructure System	34,580
Total, Food Safety and Inspection Service	$1,049,344

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TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

The conference agreement provides $901,000 for the Office of the Under Secretary for Farm Production and Conservation.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $216,350,000 for the Farm Production and Conservation (FPAC) Business Center. In addition, $16,081,000 is transferred from the Agricultural Credit Insurance Fund and $60,228,000 is transferred from the Commodity Credit Corporation.

The conferees support the streamlined efficiencies of the Farm Production and Conservation (FPAC) mission area and appreciate the Department's submission of a detailed plan on August 28, 2018, that illustrates the consolidated services and human resources under the FPAC Business Center. As such, the conferees provide the requested funding for the FPAC Business Center with corresponding reductions in administrative funding for each of the three agencies under the FPAC mission area. Funding shifts are as follows: $128,491,000 from the Farm Service Agency, $70,801,000 from the Natural Resources and Conservation Service, and $17,058,000 from the Risk Management Agency. In order to maintain equity of service across the respective agencies and demonstrate improved performance of services, the conferees direct FPAC to establish results-oriented performance agreements with each of the three agencies.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $1,081,655,000 for Farm Service Agency, Salaries and Expenses.

The conferees provide shifts in funding for the FSA Salaries and Expenses account as reflected by the President's Budget request to fund the FPAC Business Center. The conferees provide funding for the FPAC Information Portal. Additionally, the conferees require not less

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than $20,000,000 be dedicated for the hiring of farm loan officers, county office trainees, and county office staff. Not less than $8,000,000 shall be for the hiring of farm loan officers.

The following table reflects the conference agreement:

(Dollars in Thousands)

Salaries and expenses	$1,081,655
Transfer from P.L. 480	142
Transfer from export loans	2,463
Transfer from ACIF	290,917
Total, FSA Salaries and expenses	$1,375,177

STATE MEDIATION GRANTS

The conference agreement provides $3,904,000 for State Mediation Grants.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

The conference agreement provides $6,500,000 for the Grassroots Source Water Protection Program.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $500,000 for the Dairy Indemnity Program.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $7,987,668,000 for the ACIF program account.

The following table reflects the conference agreement:

(Dollars in Thousands)

Loan Authorizations:	
Farm Ownership Loans:	
Direct	$1,500,000
Guaranteed	2,750,000
Subtotal, Farm Ownership Loans	4,250,000
Farm Operating Loans:	
Direct	1,530,000
Unsubsidized Guaranteed	1,960,000
Subtotal, Farm Operating Loans	3,490,000
Emergency Loans	37,668
Indian Tribe Land Acquisition Loans	20,000
Conservation Loans-Guaranteed	150,000
Indian Highly Fractionated Land	10,000
Boll Weevil Eradication	30,000

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Total, Loan Authorizations	7,987,668
Loan Subsidies:	
Farm Operating Loan Subsidies:	
Direct	59,670
Unsubsidized Guaranteed	21,168
Subtotal, Farm Operating Subsidies	80,838
Emergency Loans	1,567
Indian Highly Fractionated Land	2,134
Total, Loan Subsidies	84,539
ACIF Expenses:	
Salaries and Expenses	290,917
Administrative Expenses	10,070
Transfer to FPAC Business Center	16,081
Total, ACIF Expenses	$317,068

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

The conference agreement provides $58,361,000 for the Risk Management Agency (RMA), Salaries and Expenses.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides $819,492,000 for Conservation Operations.

The conferees provide $9,400,000 for the Snow Survey and Water Forecasting Program; $9,481,000 for the Plant Materials Centers; $74,685,000 for the Soil Surveys Program; and $725,926,000 for Conservation Technical Assistance.

The conferees support NRCS' ongoing work to prevent soil erosion leading to harmful algal blooms through the introduction of cover crops and encourages continued targeting of watersheds where harmful algal blooms pose a threat. In addition, no less than $5,000,000 shall be provided to support cooperative agreements focused on innovative phosphorus removal strategies where agricultural runoff has contributed nutrients to a waterbody. Such work shall be conducted in consultation with the National Institute for Food and Agriculture and the Agricultural Research Service.

In carrying out the programs under section 524(b) of the Federal Crop Insurance Act, the Secretary is encouraged to establish multi-year pilot projects to provide financial and technical

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assistance to farms regulated under the FSMA Produce Safety Rule for capital improvements to address on-farm agricultural water concerns, including irrigation systems and other conservation practices to improve water quality and soil health. Payment limits and other provisions of the AMA program will apply.

The conferees are concerned about the number of staff vacancies at NRCS, as unfilled state-level positions are creating delays in application approval and the deployment of important conservation funding. NRCS is directed to provide a report no later than 90 days after enactment of this Act updating the Committees on staffing levels at each NRCS office across the country, by location, including vacancies that have remained unfilled for more than 6 months, plans to fill those vacancies, and the workload analysis that demonstrates the total number of employees needed compared to the national staffing cap.

The conferees reiterate their support for irrigation agriculture and encourage NRCS to leverage all possible funding streams to support the expansion of on-farm irrigation in regions that have previously not had widespread irrigation systems, specifically in the Southeastern United States. The conferees direct NRCS to focus efforts on the development of conservation and irrigation techniques to reduce water usage in agriculture production while maintaining crop quality and yield in rural America.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $150,000,000 for Watershed and Flood Prevention Operations.

WATERSHED REHABILITATION PROGRAM

The conference agreement provides $10,000,000 for the Watershed Rehabilitation Program.

CORPORATIONS

FEDERAL CROP INSURANCE CORPORATION FUND

The conference agreement provides such sums as may be necessary for the Federal Crop Insurance Corporation Fund.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

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The conference agreement provides such sums as may be necessary for Reimbursement for Net Realized Losses of the Commodity Credit Corporation.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

The conference agreement provides a limitation of $5,000,000 for Hazardous Waste Management.

TITLE III

RURAL DEVELOPMENT PROGRAMS

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $236,835,000 for Rural Development, Salaries and Expenses, including $6,000,000 for information technology investments.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides a total subsidy of $510,317,000 for activities under the Rural Housing Insurance Fund Program Account.

The following table indicates loan, subsidy, and grant levels provided by the conference agreement:

(Dollars in Thousands)

Loan authorizations:	
Single family housing (sec. 502)	
Direct	$1,000,000
Unsubsidized guaranteed	24,000,000
Housing repair (sec. 504)	28,000
Rental housing (sec. 515)	40,000
Multi-family guaranteed (sec. 538)	230,000
Site development loans (sec. 524)	5,000
Credit sales of acquired property	10,000
Self-help housing land development (sec. 523)	5,000
Farm labor housing	27,500
Total, Loan authorizations	$25,345,500
Loan subsidies, grants & administrative expenses:	

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Single family housing (sec. 502)	
Direct	$67,700
Housing repair (sec. 504)	3,419
Rental housing (sec. 515)	9,484
Farm labor housing (sec. 514)	6,853
Site development loans (sec. 524)	176
Self-help land development (sec. 523)	431
Total, loan subsidies	88,063
Farm labor housing grants	10,000
Total, loan subsidies and grants	98,063
Administrative expenses (transfer to RD)	412,254
Total, Loan subsidies, grants, and administrative expenses	$510,317

RENTAL ASSISTANCE PROGRAM

The conference agreement provides $1,331,400,000 for the Rental Assistance Program.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

The conference agreement provides $51,500,000 for the Multi-Family Housing Revitalization Program Account.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides $30,000,000 for Mutual and Self-Help Housing Grants.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $45,000,000 for Rural Housing Assistance Grants.

The following table reflects the grant levels provided by the conference agreement:

(Dollars in Thousands)

Very low income housing repair grants	$30,000
Housing preservation grants	15,000
Total, grant program	$45,000

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $50,063,000 for the Rural Community Facilities Program Account.

The following table reflects the loan, subsidy, and grant amounts provided by the conference agreement:

(Dollars in Thousands)

Loan authorizations:	
CF direct loans	$2,800,000
CF guaranteed loans	148,287

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Loan subsidies and grants:	
CF guaranteed loans	4,285
CF grants	30,000
Rural Community Development Initiative	6,000
Economic Impact Initiative	5,778
Tribal college grants	4,000
Total, subsidy and grants	$50,063

RURAL BUSINESS – COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $65,040,000 for the Rural Business Program Account.

The following table reflects the loan, subsidy, and grant levels provided by the conference agreement:

(Dollars in Thousands)

Loan level:	
Business and industry guaranteed loans	$950,000
Loan subsidy and grants:	
Business and industry guaranteed loans	22,040
Rural business development grants	35,000
Delta Regional Authority/Appalachian Regional Commission/Northern Border Regional Commission	8,000
Total, Rural Business Program subsidy and grants	$65,040

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $8,625,000 for the Intermediary Relending Program Fund Account.

The following table reflects the loan and subsidy levels provided by the conference agreement:

(Dollars in Thousands)

Loan level:	
Estimated loan level	$18,889
Subsidies and administrative expenses:	
Direct loan subsidy level	4,157
Administrative expenses	4,468
Subtotal, subsidies and administrative expenses	$8,625

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RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

The conference agreement provides $50,000,000 for the Rural Economic Development Loans Program Account.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides $29,100,000 for Rural Cooperative Development Grants.

RURAL ENERGY FOR AMERICA PROGRAM

The conference agreement provides $334,500 for the Rural Energy for America Program.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $548,690,000 for the Rural Utilities Service Rural Water and Waste Disposal Program Account.

The following table reflects the loan, subsidy, and grant levels provided by the conference agreement:

(Dollars in Thousands)

Loan authorizations:	
Water and waste direct loans	$1,400,000
Water and waste guaranteed loans	50,000
Subsidies and grants:	
Guaranteed loan subsidy	190
Water and waste revolving fund	1,000
Water well system grants	1,500
Grants for Colonias, Native Americans, and Alaska	68,000
Water and waste technical assistance grants	30,000
Circuit Rider program	19,000
Solid waste management grants	4,000
High energy cost grants	10,000
Water and waste disposal grants	400,000
306A(i)(2) grants	15,000
Total, subsidies and grants	$548,690

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $34,995,000 for activities under the Rural Electrification and Telecommunications Loans Program Account.

The following table indicates loan levels provided by the conference agreement:

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(Dollars in Thousands)

Loan authorizations:	
Electric:	
Direct, FFB	$5,500,000
Guaranteed underwriting	750,000
Subtotal, electric	6,250,000
Telecommunications:	
Direct, treasury rate	345,000
Direct, FFB	345,000
Subtotal, telecommunications	690,000
Loan subsidy:	
Direct, treasury rate	1,725
Total, loan authorizations	6,940,000
Administrative expenses	33,270
Total, budget authority	$34,995

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

The conference agreement provides $69,830,000 for the Distance Learning, Telemedicine, and Broadband Program.

The following table indicates loan levels provided by the conference agreement:

(Dollars in Thousands)

Loan authorization:	
Broadband telecommunications	$29,851
Total, loan authorization	29,851
Subsidy and grants:	
Distance learning and telemedicine grants	34,000
Broadband telecommunications program:	
Direct (treasury rate loans)	5,830
Grants	30,000
Total, subsidies and grants	$69,830

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

The conference agreement provides $800,000 for the Office of the Under Secretary for Food, Nutrition, and Consumer Services.

The marketplace continues to develop innovative technologies, such as third-party mobile applications, which can assist nutrition program participants in managing their benefits. The conferees encourage USDA to ensure that these new technologies have a secure system in place to protect personal account information; do not sell, distribute or make available personal

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account information for commercial marketing purposes; and that participants have consistent access to their account information regardless of the means in which they choose to access it.

Retailer SNAP sales data could contain proprietary and confidential information. Should such information be made publicly available, USDA is directed to make every effort to protect confidential business information likely to cause harm to the competitive position in the retail industry, especially small grocery stores and small grocery stores in rural areas. Personal information about individual SNAP participants should also remain confidential.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $23,140,781,000 for Child Nutrition Programs.

The conference agreement provides the following for Child Nutrition Programs:

Total Obligational Authority
(Dollars in Thousands)

School lunch program	$12,091,834
School breakfast program	4,816,238
Child and adult care food program	3,815,328
Summer food service program	519,456
Special milk program	8,065
State administrative expenses	302,571
Commodity procurement	1,436,458
Food safety education	2,929
Coordinated review	10,000
Computer support and processing	12,124
CACFP training and technical assistance	13,935
Child Nutrition Program studies and evaluations	21,639
Child Nutrition payment accuracy	11,203
Farm to school tactical team	3,997
Team Nutrition	17,004
School meals equipment grants	30,000
Summer EBT demonstration	28,000
Total	$23,140,781

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides $6,075,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children.

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The conference agreement recommends full funding for WIC that will meet estimated participation in fiscal year 2019. The recommendation includes $60,000,000 for breastfeeding support initiatives and $19,000,000 for infrastructure. The conferees recognize new technologies, including telemedicine, that support breastfeeding mothers through access to professional breastfeeding and nutrition consultants. The conferees provide $5,000,000 for telehealth competitive grants to supplement the nutrition education and breastfeeding support offered in the WIC clinic, and to decrease barriers to access to WIC services, particularly in rural communities. Funding can be used to support a variety of telehealth interventions, including but not limited to the use of telehealth tools by WIC staff as well as clinical services and technologies provided by third-party vendors.

The work of the National Academies of Science (NAS) to review and make recommendations for updating the WIC food packages to reflect current science and cultural factors is recognized. The conferees note, however, that while all revised packages now allow some fish, the amounts remain low compared to the recommendations of other authoritative health agencies. The conferees strongly encourage the Department to consider the health and cultural benefits of fish consumption as the NAS recommendations are reviewed and used to inform the Department's next course of action. The conferees also strongly encourage the Department to continue to allow states to submit cultural food package proposals to respond to the cultural preferences of WIC participants in states like Alaska.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The conference agreement provides $73,476,921,000 for the Supplemental Nutrition Assistance Program (SNAP).

The conference agreement provides the following for SNAP:

Total Obligational Authority
(Dollars in Thousands)

Benefits	$62,299,422
Contingency reserve	3,000,000
Administrative costs:	
State administrative costs	4,617,913
Nutrition Education and Obesity Prevention Grant Program	433,000
Employment and Training	487,707
Mandatory other program costs	190,504
Discretionary other program costs	998
Administrative subtotal	5,730,122

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Nutrition Assistance for Puerto Rico (NAP)	1,965,834
American Samoa	7,895
Food Distribution Program on Indian Reservations	153,000
TEFAP commodities	294,500
Commonwealth of the Northern Mariana Islands	12,148
Community Food Projects	9,000
Program access	5,000
Subtotal	2,447,377
Total	$73,476,921

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $322,139,000 for the Commodity Assistance Program.

The conferees include $222,891,000 for the Commodity Supplemental Food Program to fully fund existing caseload in fiscal year 2019 and to begin service to new state agencies with approved plans; $18,548,000 for the Farmers' Market Nutrition Program; and $79,630,000 for administrative funds for the Emergency Food Assistance Program.

NUTRITION PROGRAMS ADMINISTRATION

The conference agreement provides $164,688,000 for Nutrition Programs Administration.

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TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

The conference agreement provides $875,000 for the Office of the Under Secretary for Trade and Foreign Agricultural Affairs.

OFFICE OF CODEX ALIMENTARIUS

The conference agreement provides $3,976,000 for the Office of Codex Alimentarius.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $213,890,000 for the Foreign Agricultural Service, Salaries and Expenses and a transfer of $6,382,000.

The conference agreement includes increases of $3,187,000 for Capital Security Cost Sharing; $1,537,000 for International Cooperative Administrative Support Services; $1,500,000 for pay costs for locally employed staff; $3,000,000 for the Country Strategy Support Fund; $10,000,000 for trade activities; and a decrease of $5,000,000 for administrative support services.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $142,000 for administrative expenses for the Food for Peace Title I Direct Credit and Food for Progress Program Account to be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

The conferees provide a one-time, $16,000,000 increase in funding for the Food for Progress program as authorized. This increase is a restoration of funding from reductions occurring in prior years and does not indicate support for expanding or continuing the practice of monetization in food aid programs.

FOOD FOR PEACE TITLE II GRANTS

The conference agreement provides $1,500,000,000 for Food for Peace Title II Grants.

The conferees direct the Administrator of the U.S. Agency for International Development to maintain the funding level for the non-emergency set-aside in the Food for Peace Act (7

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U.S.C. 1736f(e)(2). If the Administrator deems it necessary to notwithstand such provision as provided in 7 U.S.C. 1722(a) to meet emergency food aid needs, the Administrator shall notify the Committees within 15 days of such action.

McGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

The conference agreement provides $210,255,000 for the McGovern-Dole International Food for Education and Child Nutrition Program.

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $8,845,000 for the Commodity Credit Corporation Export Loans Credit Guarantee Program Account.

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides specific amounts by Food and Drug Administration activity as reflected in the following table:

Food and Drug Administration
Salaries & Expenses
(Dollars in Thousands)

Budget Authority:	
Foods	$1,059,980
Center for Food Safety and Applied Nutrition	327,962
Field Activities	732,018
Human Drugs	662,907
Center for Drug Evaluation and Research	524,738
Field Activities	138,169
Biologics	240,138
Center for Biologics Evaluation and Research	198,132
Field Activities	42,006

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Animal Drugs and Feeds	178,934
Center for Veterinary Medicine	113,419
Field Activities	65,515
Devices and Radiological Products	386,743
Center for Devices and Radiological Health	301,738
Field Activities	85,005
National Center for Toxicological Research	66,712
Other Activities/Office of the Commissioner	188,069
White Oak Consolidation	43,044
Other Rent and Rent Related Activities	71,943
GSA Rent	170,208
Subtotal, Budget Authority	3,068,678
User Fees:	
Prescription Drug User Fee Act	1,010,323
Medical Device User Fee and Modernization Act	204,730
Human Generic Drug User Fee Act	501,721
Biosimilar User Fee Act	38,847
Animal Drug User Fee Act	30,331
Animal Generic Drug User Fee Act	18,335
Tobacco Product User Fees	712,000
Subtotal, User Fees	2,516,287
Total, FDA Program Level	$5,584,965

The conferees provide $3,068,678,000 in discretionary budget authority and $2,516,287,000 in definite user fees for a total of $5,584,965,000 for Food and Drug Administration, Salaries and Expenses. This total does not include permanent, indefinite user fees for: the Mammography Quality Standards Act; Color Certification; Export Certification; Priority Review Vouchers Pediatric Disease; Food and Feed Recall; Food Reinspection; Voluntary Qualified Importer Program; the Third Party Auditor Program; Outsourcing Facility; and Medical Countermeasure Priority Review Vouchers.

The conferees expect the FDA to continue all projects, activities, laboratories, and programs as included in fiscal year 2018 unless otherwise specified, and does not accept the proposed funding reductions for: Consumer Education and outreach regarding biotechnology; Foreign High Risk Inspections; the funds made available to the Health and Human Services' Inspector General for its audit and oversight work involving the FDA; the produce safety

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cooperative agreement funds with states; the Critical Path Initiative; and compounding bulk drug substances.

The conferees provide an increase of $271,400,000 for medical product and food safety activities, and accepts $2,800,000 in proposed savings, resulting in a net increase of $268,600,000.

Within the increases provided for medical products safety, the conferees provide $47,000,000 to combat the Opioid Epidemic, $38,500,000 to Promote Domestic Manufacturing; $12,000,000 for a New Domestic Drug Industry; $6,000,000 for MedTech Manufacturing; $50,700,000 for New Medical Data Enterprise; $25,000,000 for the Growth and Transformation of Digital Health; $43,300,000 for New Platform for Drug Development, including a $5,000,000 increase to fully fund FDA's Oncology Center for Excellence; $25,100,000 for Modernizing Generic Drug Development and Review; and $10,000,000 for Investment and Innovation for Rare Diseases.

Within the increases provided for food safety activities, the conferees provide $2,000,000 for FSMA Cooperative Agreements, $2,800,000 for Food Import safety, $5,000,000 to address Food Safety Outbreaks; $500,000 to test Antibiotic Resistance in Imported Seafood, $2,000,000 for Standard of Identity and Product labeling; and a $1,500,000 increase for consumer education and outreach regarding biotechnology.

The additional funding provided to combat the opioid epidemic should be used for regulatory science, enforcement, and innovation activities. Within these funds, the conferees provide $20,000,000 to create a large-scale data warehouse and perform data analytics to better assess vulnerability points in the population, anticipate changes in the crisis, and target regulatory changes required.

The conferees expect the Center for Food Safety and Applied Nutrition to fund, at least at the 2018 level, those agreements on outreach to farmers that are continued in 2019.

The conferees direct the FDA to submit a report no later than 180 days after enactment of this Act, that includes the number of enforcement actions FDA brought against dietary supplement manufacturers and marketers, as well as manufacturers and marketers of products claiming to be dietary supplements, the number of dietary supplement good manufacturing practice inspections FDA conducted in 2018 and the number of FTEs dedicated to dietary

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supplement inspections and the number of serious adverse events that were reported to FDA from 2015 to 2018.

The conferees support FDA's commitment to complete a separate section of regulations for medical gas current good manufacturing practices. Therefore, the FDA shall issue final regulations required by the fiscal year 2017 Consolidated Appropriations Act no later than March 31, 2019.

BUILDINGS AND FACILITIES

The conference agreement provides $11,788,000 for the Food and Drug Administration Buildings and Facilities.

FDA INNOVATION ACCOUNT, CURES ACT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $70,000,000 for the FDA as authorized in the 21st Century Cures Act.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation of $74,600,000 on administrative expenses of the Farm Credit Administration.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Section 701. – The bill includes language regarding motor vehicles.

Section 702. – The bill includes language regarding the Working Capital Fund of the Department of Agriculture.

Section 703. – The bill includes language limiting funding provided in the bill to one year unless otherwise specified.

Section 704. – The bill includes language regarding nonprofit institutions.

Section 705. – The bill includes language regarding Rural Development programs.

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MULTI-HHS-18-0600-A and 18-604-A-001681

Section 706. – The bill includes language regarding information technology systems.

Section 707. – The bill includes language regarding fund availability.

Section 708. – The bill includes language regarding Rural Utilities Service program eligibility.

Section 709. – The bill includes language regarding funds for information technology expenses.

Section 710. – The bill includes language prohibiting first-class airline travel.

Section 711. – The bill includes language regarding the availability of certain funds of the Commodity Credit Corporation.

Section 712. – The bill includes language regarding funding for advisory committees.

Section 713. – The bill includes language regarding IT system regulations.

Section 714. – The bill includes language regarding Section 32 activities.

Section 715. – The bill includes language regarding user fee proposals without offsets.

Section 716. – The bill includes language regarding the reprogramming of funds and notification requirements.

Section 717. – The bill includes language regarding fees for the guaranteed business and industry loan program.

Section 718. – The bill includes language regarding the appropriations hearing process.

Section 719. – The bill includes language regarding government-sponsored news stories.

Section 720. – The bill includes language regarding details and assignments of Department of Agriculture employees.

Section 721. – The bill includes language regarding Rural Development programs.

Section 722. – The bill includes language requiring spend plans.

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Section 723. – The bill includes language regarding nutrition programs.

Section 724. – The bill includes language regarding Rural Development programs.

Section 725. – The bill includes language regarding USDA loan programs.

Section 726. – The bill includes language regarding the Working Capital Fund.

Section 727. – The bill includes language regarding SNAP variety.

Section 728. – The bill includes language regarding industrial hemp.

Section 729. – The bill includes language regarding loan programs.

Section 730. – The bill includes language regarding consumer information.

Section 731. – The bill includes language regarding FDA regulations.

Section 732. – The bill includes language regarding FDA regulations.

Section 733. – The bill includes language regarding Food for Peace.

Section 734. – The bill includes language regarding research programs.

Section 735. – The bill includes language regarding Rural Development programs.

Section 736. – The bill includes language regarding USDA regulations.

Section 737. – The bill includes language regarding FDA regulations.

Section 738. – The bill includes language regarding research facilities.

Section 739. – The bill includes language regarding conservation programs.

Section 740. – The bill includes language regarding the Water Bank Act.

Section 741. – The bill includes language regarding geographically disadvantaged farmers.

Section 742. – The bill includes language regarding animal welfare.

Section 743. – The bill includes language regarding Food for Progress.

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Section 744. – The bill includes language regarding United States iron and steel products.

Section 745. – The bill includes language regarding Rural Development program assistance.

Section 746. – The bill includes language regarding multi-family housing programs.

Section 747. – The bill includes language regarding lobbying.

Section 748. – The bill includes language regarding the Agriculture Risk Coverage program.

Section 749. – The bill includes language regarding poultry products.

Section 750. – The bill includes language regarding certain inspection activities.

Section 751. – The bill includes language regarding water supplies.

Section 752. – The bill includes language regarding Rural Development programs.

Section 753. – The bill includes language regarding poultry products.

Section 754. – The bill includes language regarding child nutrition programs.

Section 755. – The bill includes language regarding nutritional guidelines.

Section 756. – The bill includes language regarding low-income communities.

Section 757. – The bill includes language regarding citrus greening.

Section 758. – The bill includes language regarding grape varietals.

Section 759. – The bill includes language regarding grain inspection agreements.

Section 760. – The bill includes language regarding school lunch programs.

Section 761. – The bill includes language regarding opioids.

Section 762. – The bill includes language regarding rural broadband.

Section 763. – The bill includes language regarding water and waste programs.

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Section 764. – The bill includes language regarding the National Institute of Food and Agriculture.

Section 765. – The bill includes language regarding FDA regulations.

Section 766. – The bill includes language regarding dietary guidelines.

Section 767. – The bill includes language regarding added sugars.

Section 768. – The bill includes language regarding school breakfast programs.

Section 769. – The bill includes language regarding emergency assistance.

Section 770. – The bill includes language regarding research programs.

Section 771. – The bill includes language regarding conservation programs.

Section 772. – The bill includes language regarding rural housing programs.

Section 773. – The bill includes language regarding FDA regulations.

Section 774. – The bill includes language regarding Centers of Excellence.

Section 775. – The bill includes language regarding child nutrition programs.

Section 776. – The bill includes language regarding FDA regulations.

Section 777. – The bill includes language regarding Food for Peace.

Section 778. – The bill includes language regarding the Farm Service Agency.

Section 779. – The bill includes language regarding rural broadband.

Section 780. – The bill includes language regarding Rural Development programs.

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE I - AGRICULTURAL PROGRAMS					
Processing, Research, and Marketing					
Office of the Secretary					
Office of the Secretary	5,051	4,850	5,051	---	+201
Assistant to the Secretary for Rural Development	800	800	800	---	---
Office of Homeland Security	1,496	1,448	1,496	---	+48
Office of Partnerships and Public Engagement	4,711	1,672	4,711	---	+3,039
Office of the Assistant Secretary for Administration	804	875	875	+71	---
Departmental Administration	22,301	22,501	22,301	---	-200
Subtotal, Departmental Administration	23,105	23,376	23,176	+71	-200
Office of the Assistant Secretary for Congressional Relations	3,869	3,091	3,869	---	+778
Office of Communications	7,500	7,261	7,500	---	+239
Total, Office of the Secretary	46,532	42,498	46,603	+71	+4,105
Executive Operations					
Office of the Chief Economist	19,786	19,487	21,286	+1,500	+1,799
Office of Hearings and Appeals	15,222	14,183	15,222	---	+1,039
Office of Budget and Program Analysis	9,525	8,631	9,525	---	+894
Subtotal, Executive Operations	44,533	42,301	46,033	+1,500	+3,732

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of the Chief Information Officer	58,950	62,524	55,630	-3,320	-6,894
Office of the Chief Financial Officer	6,028	5,536	6,028	---	+492
Office of the Assistant Secretary for Civil Rights	901	800	901	---	+101
Office of Civil Rights	24,206	22,345	24,206	---	+1,861
Building and Facilities					
Agriculture Buildings and Facilities	64,414	58,330	59,967	-4,447	+1,637
Hazardous materials management	3,503	3,463	3,503	---	+40
Office of Inspector General	98,208	87,436	98,208	---	+10,772
Office of the General Counsel	44,546	41,717	45,146	+600	+3,429
Office of Ethics	4,136	2,897	4,136	---	+1,239
Total, Departmental Administration	395,957	369,847	390,361	-5,596	+20,514
Office of the Under Secretary for Research, Education, and Economics	800	800	800	---	---
Economic Research Service	86,757	45,000	86,757	---	+41,757
National Agricultural Statistics Service	191,717	165,000	174,517	-17,200	+9,517
Census of Agriculture	(63,350)	(45,300)	(45,300)	(-18,050)	---
Agricultural Research Service:					
Salaries and expenses	1,202,766	1,018,991	1,303,266	+100,500	+284,275
Buildings and facilities	140,600	---	381,200	+240,600	+381,200
Total, Agricultural Research Service	1,343,366	1,018,991	1,684,466	+341,100	+665,475

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Institute of Food and Agriculture:					
Research and education activities	887,171	794,479	927,649	+40,478	+133,170
Native American Institutions Endowment Fund	(11,880)	(11,857)	(11,880)	---	(+23)
Extension activities	483,626	450,185	505,692	+22,066	+55,507
Integrated activities	37,000	13,037	38,000	+1,000	+24,963
Total, National Institute of Food and Agriculture	1,407,797	1,257,701	1,471,341	+63,544	+213,640
Office of the Under Secretary for Marketing and Regulatory Programs	901	800	901	---	+101
Animal and Plant Health Inspection Service:					
Salaries and expenses	981,893	739,151	1,011,136	+29,243	+271,985
Buildings and facilities	3,175	2,852	3,175	---	+323
Total, Animal and Plant Health Inspection Service	985,068	742,003	1,014,311	+29,243	+272,308
Agricultural Marketing Service:					
Marketing Services	151,595	118,617	159,095	+7,500	+40,478
Standardization activities (user fees)	(65,000)	---	---	(-65,000)	---
(Limitation on administrative expenses, from fees collected)	(61,227)	(60,982)	(61,227)	---	(+245)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Funds for strengthening markets, income, and supply (Section 32):					
Permanent, Section 32	1,344,000	1,374,000	1,374,000	+30,000	---
Marketing agreements and orders (transfer from section 32)	(20,705)	(20,489)	(20,705)	---	(+216)
Payments to States and Possessions	1,235	1,109	1,235	---	+126
Limitation on inspection and weighing services	(55,000)	(80,000)	(55,000)	---	(-25,000)
Total, Agricultural Marketing Service program	1,613,057	1,634,708	1,650,557	+37,500	+15,849
Office of the Under Secretary for Food Safety	800	800	800	---	---
Food Safety and Inspection Service	1,056,844	1,032,273	1,049,344	-7,500	+17,071
Lab accreditation fees	(1,000)	(1,000)	(1,000)	---	---
Total, Processing, Research, and Marketing	6,966,837	6,126,941	7,407,928	+441,091	+1,280,987
Total, title I, Agricultural Programs	6,966,837	6,126,941	7,407,928	+441,091	+1,280,987
(By transfer)	(20,705)	(20,489)	(20,705)	0	(+216)
(Loan authorization)	---	---	---	---	---
(Limitation on administrative expenses)	(116,227)	(140,982)	(116,227)	---	(-24,755)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE II - Farm Production and Conservation Programs					
Farm Production Programs					
Office of the Under Secretary for Farm Production and Conservation	901	875	901	---	+26
Farm Production and Conservation Business Center	1,028	196,402	216,350	+215,322	+19,948
(Transfer from CCC)	---	---	(60,228)	(+60,228)	(+60,228)
(Transfer from ACIF)	---	(16,081)	(16,081)	(+16,081)	---
Total, FPAC Business Center	(1,028)	(212,483)	(292,659)	(+291,631)	(+80,176)
Farm Service Agency:					
Salaries and expenses	1,202,146	920,490	1,081,655	-120,491	+161,165
(Transfer from Food for Peace (P.L. 480))	(149)	(142)	(142)	(-7)	---
(Transfer from export loans)	(2,463)	(335)	(2,463)	---	(+2,128)
(Transfer from ACIF)	(314,998)	(266,436)	(290,917)	(-24,081)	(+24,481)
Subtotal, transfers from program accounts	(317,610)	(266,913)	(293,522)	(-24,088)	(+26,609)
Total, Salaries and expenses	(1,519,756)	(1,187,403)	(1,375,177)	(-144,579)	(+187,774)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
State mediation grants	3,904	3,228	3,904	---	+676
Grassroots source water protection program	6,500	---	6,500	---	+6,500
Dairy indemnity program	500	500	500	---	---
Subtotal, Farm Service Agency	1,213,050	924,218	1,092,559	-120,491	+168,341
Agricultural Credit Insurance Fund (ACIF) Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(1,500,000)	(1,500,000)	(1,500,000)	---	---
Guaranteed	(2,750,000)	(2,750,000)	(2,750,000)	---	---
Subtotal	(4,250,000)	(4,250,000)	(4,250,000)	---	---
Farm operating loans:					
Direct	(1,530,000)	(1,500,000)	(1,530,000)	---	(+30,000)
Unsubsidized guaranteed	(1,960,000)	(1,600,000)	(1,960,000)	---	(+360,000)
Subtotal	(3,490,000)	(3,100,000)	(3,490,000)	---	(+390,000)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Emergency loans	(25,610)	(37,668)	(37,668)	(+12,058)	---
Indian tribe land acquisition loans	(20,000)	(20,000)	(20,000)	---	---
Conservation loans:					
Guaranteed	(150,000)	(150,000)	(150,000)	---	---
Indian Highly Fractionated Land Loans	(10,000)	---	(10,000)	---	(+10,000)
Boll weevil eradication loans	(60,000)	(60,000)	(30,000)	(-30,000)	(-30,000)
Total, Loan authorizations	(8,005,610)	(7,617,668)	(7,987,668)	(-17,942)	(+370,000)
Loan subsidies:					
Farm operating loans:					
Direct	61,812	58,500	59,670	-2,142	+1,170
Unsubsidized guaranteed	21,756	17,280	21,168	-588	+3,888
Subtotal	83,568	75,780	80,838	-2,730	+5,058
Emergency Loans	1,260	1,567	1,567	+307	---
Indian Highly Fractionated Land Loans	2,272	---	2,134	-138	+2,134
Total, Loan subsidies and grants	87,100	77,347	84,539	-2,561	+7,192

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
ACIF administrative expenses:					
Salaries and Expenses (transfer to FSA)...	314,998	266,436	290,917	-24,081	+24,481
Administrative Expenses.....	10,070	10,070	10,070	---	---
Administrative Expenses (transfer to FPAC Business Center).....	---	16,081	16,081	+16,081	---
Total, ACIF expenses.....	325,068	292,587	317,068	-8,000	+24,481
Total, Agricultural Credit Insurance Fund...	412,168	369,934	401,607	-10,561	+31,673
(Loan authorization).....	(8,005,610)	(7,617,668)	(7,987,668)	(-17,942)	(+370,000)
Total, Farm Service Agency.....	1,627,147	1,491,429	1,711,417	+84,270	+219,988
Risk Management Agency:					
RMA Salaries and Expenses.....	74,829	37,942	58,361	-16,468	+20,419
Subtotal, Risk Management Agency.....	74,829	37,942	58,361	-16,468	+20,419
Total, Farm Production Programs.....	1,701,976	1,529,371	1,769,778	+67,802	+240,407

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Natural Resources Conservation Service:					
Private Lands Conservation Operations	874,107	669,033	819,492	-54,615	+150,459
Farm Security and Rural Investment program (transfer authority)	---	(850,200)	---	---	(-850,200)
Total, Conservation operations	874,107	669,033	819,492	-54,615	+150,459
Watershed flood and prevention operations	150,000	---	150,000	---	+150,000
Watershed rehabilitation program	10,000	---	10,000	---	+10,000
Total, Natural Resources Conservation Service	1,034,107	669,033	979,492	-54,615	+310,459
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	8,913,000	8,687,000	15,410,629	+6,497,629	+6,723,629
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses	14,284,847	15,410,000	15,410,000	+1,125,153	---
Hazardous waste management (limitation on expenses)	(5,000)	(5,000)	(5,000)	---	---
Total, Corporations	23,197,847	24,097,000	30,820,629	+7,622,782	+6,723,629
Total, title II, Farm Production and Conservation Programs	25,933,930	26,295,404	33,569,899	+7,635,969	+7,274,495

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE III - RURAL DEVELOPMENT					
Rural Development:					
Rural development expenses:					
Salaries and expenses	230,835	156,054	236,835	+6,000	+80,781
(Transfer from RHIF)	(412,254)	(244,249)	(412,254)	---	(+168,005)
(Transfer from RCFP)	---	(147,591)	---	---	(-147,591)
(Transfer from RDLFP)	(4,468)	---	(4,468)	---	(+4,468)
(Transfer from RETLP)	(33,270)	(38,027)	(33,270)	---	(-4,757)
(Transfer from DLTBP)	---	(8,057)	---	---	(-8,057)
(Transfer from RWWDP)	---	(18,149)	---	---	(-18,149)
Subtotal, Transfers from program accounts	(449,992)	(456,073)	(449,992)	---	(-6,081)
Total, Rural development expenses	(680,827)	(612,127)	(686,827)	(+6,000)	(+74,700)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (Sec. 502)	(1,100,000)	---	(1,000,000)	(-100,000)	(+1,000,000)
Unsubsidized guaranteed	(24,000,000)	(24,000,000)	(24,000,000)	---	---
Subtotal, Single family	(25,100,000)	(24,000,000)	(25,000,000)	(-100,000)	(+1,000,000)
Housing repair (Sec. 504)	(28,000)	---	(28,000)	---	(+28,000)
Rental housing (Sec. 515)	(40,000)	---	(40,000)	---	(+40,000)
Multi-family housing guarantees (Sec. 538)	(230,000)	(250,000)	(230,000)	---	(-20,000)
Site development loans (Sec. 524)	(5,000)	---	(5,000)	---	(+5,000)
Single family housing credit sales	(10,000)	(10,000)	(10,000)	---	---
Self-help housing land development housing loans (Sec. 523)	(5,000)	---	(5,000)	---	(+5,000)
Farm Labor Housing (Sec.514)	(23,855)	---	(27,500)	(+3,645)	(+27,500)
Total, Loan authorizations	(25,441,855)	(24,260,000)	(25,345,500)	(-96,355)	(+1,085,500)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Loan subsidies:					
Single Family Direct (Sec. 502)	42,350	---	67,700	+25,350	+67,700
Housing repair (Sec. 504)	3,452	---	3,419	-33	+3,419
Rental housing (Sec. 515)	10,524	---	9,484	-1,040	+9,484
Farm labor housing (Sec.514)	6,374	---	6,853	+479	+6,853
Self-Help Land Development Housing Loans (Sec.523)	368	---	431	+63	+431
Site Development Loans (Sec.524)	58	---	176	+118	+176
Total, Loan subsidies	63,126	---	88,063	+24,937	+88,063
Farm labor housing grants	8,336	---	10,000	+1,664	+10,000
RHIF administrative expenses (transfer to RD)	412,254	244,249	412,254	---	+168,005
Total, Rural Housing Insurance Fund program	483,716	244,249	510,317	+26,601	+266,068
(Loan authorization)	(25,441,855)	(24,260,000)	(25,345,500)	(-96,355)	(+1,085,500)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Rental assistance program:					
Rental assistance (Sec. 521)	1,345,293	1,331,400	1,331,400	-13,893	---
Multi-Family Housing Revitalization Program Account:					
Rural housing voucher program	25,000	20,000	27,000	+2,000	+7,000
Multi-family housing revitalization program	22,000	---	24,500	+2,500	+24,500
Total, Multi-family housing revitalization	47,000	20,000	51,500	+4,500	+31,500
Mutual and self-help housing grants	30,000	---	30,000	---	+30,000
Rural housing assistance grants	40,000	---	45,000	+5,000	+45,000
Rural community facilities program account:					
Loan authorizations:					
Community facility:					
Direct	(2,800,000)	(3,500,000)	(2,800,000)	---	(-700,000)
Guaranteed	(148,287)	---	(148,287)	---	(+148,287)
Total, Loan authorizations	(2,948,287)	(3,500,000)	(2,948,287)	---	(-551,713)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Loan subsidies and grants:					
Community facility:					
Guaranteed	4,849	---	4,285	-564	+4,285
Grants	30,000	---	30,000	---	+30,000
Rural community development initiative	4,000	---	6,000	+2,000	+6,000
Economic impact initiative grants	5,778	---	5,778	---	+5,778
Tribal college grants	4,000	---	4,000	---	+4,000
RCFP administrative expenses (transfer to RD)	---	147,591	---	---	-147,591
Subtotal, Loan subsidies and grants	48,627	147,591	50,063	+1,436	-97,528
Total, grants and payments	118,627	147,591	125,063	+6,436	-22,528
Total, Rural Housing Service	1,994,636	1,743,240	2,018,280	+23,644	+275,040
(Loan authorization)	(28,390,142)	(27,760,000)	(28,293,787)	(-96,355)	(+533,787)
Rural Business--Cooperative Service:					
Rural Business Program Account:					
(Guaranteed business and industry loans)	(919,765)	---	(950,000)	(+30,235)	(+950,000)
Loan subsidies and grants:					
Guaranteed business and industry subsidy	37,342	---	22,040	-15,302	+22,040
Rural business development grants	34,000	---	35,000	+1,000	+35,000
Delta Regional Authority and Appalachian Regional Commission	6,000	---	8,000	+2,000	+8,000
Total, RBP loan subsidies and grants	77,342	---	65,040	-12,302	+65,040

AMERICAN OVERSIGHT

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Intermediary Relending Program Fund Account:					
(Loan authorization)	(18,889)	---	(18,889)	---	(+18,889)
Loan subsidy	4,361	---	4,157	-204	+4,157
Administrative expenses (transfer to RD)	4,468	---	4,468	---	+4,468
Total, IRP Fund	8,829	---	8,625	-204	+8,625
Rural Economic Development Loans Program Account:					
(Loan authorization)	(45,000)	---	(50,000)	(+5,000)	(+50,000)
Limit cushion of credit interest spending	---	(225,000)	(50,000)	(+50,000)	(-175,000)
(Rescission)	---	-225,000	---	---	+225,000

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Rural Cooperative Development Grants:					
Cooperative development	5,800	---	5,800	---	+5,800
Appropriate Technology Transfer for Rural Areas	2,750	---	2,800	+50	+2,800
Grants to assist minority producers	3,000	---	3,000	---	+3,000
Value-added agricultural product market development	16,000	---	17,500	+1,500	+17,500
Total, Rural Cooperative development grants	27,550	---	29,100	+1,550	+29,100
Rural Energy for America Program					
(Loan authorization)	(7,576)	---	(7,500)	(-76)	(+7,500)
Loan subsidy and grants	293	---	335	+42	+335
Total, Rural Energy for America Program	293	---	335	+42	+335
Total, Rural Business-Cooperative Service	114,014	-225,000	103,100	-10,914	+328,100
(Loan authorization)	(991,230)	---	(1,026,389)	(+35,159)	(+1,026,389)
Rural Utilities Service:					
Rural water and waste disposal program account:					
Loan authorizations:					
Direct	(1,200,000)	(1,200,000)	(1,400,000)	(+200,000)	(+200,000)
Guaranteed	(50,000)	---	(50,000)	---	(+50,000)
Total, Loan authorization	1,250,000	1,200,000	1,450,000	+200,000	+250,000

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Loan subsidies and grants:					
Direct subsidy	2,040	---	---	-2,040	---
Guaranteed subsidy	230	---	190	-40	+190
Water and waste revolving fund	1,000	---	1,000	---	+1,000
Water well system grants	993	---	1,500	+507	+1,500
Colonias and AK/HI grants	68,000	---	68,000	---	+68,000
Water and waste technical assistance	40,000	---	30,000	-10,000	+30,000
Circuit rider program	19,000	---	19,000	---	+19,000
Solid waste management grants	4,000	---	4,000	---	+4,000
High energy cost grants	10,000	---	10,000	---	+10,000
Water and waste disposal grants	400,000	---	400,000	---	+400,000
306A(i)(2) grants	15,000	---	15,000	---	+15,000
WWDP Administrative expenses (transfer to RD)	---	18,149	---	---	-18,149
Total, Loan subsidies and grants	560,263	18,149	548,690	-11,573	+530,541
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, FFB	(5,500,000)	(5,500,000)	(5,500,000)	---	---
Guaranteed underwriting	(750,000)	---	(750,000)	---	(+750,000)
Subtotal, Electric	(6,250,000)	(5,500,000)	(6,250,000)	---	(+750,000)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Telecommunications:					
Direct, Treasury rate	(345,000)	(172,600)	(345,000)	---	(+172,400)
Direct, FFB	(345,000)	(517,400)	(345,000)	---	(-172,400)
Subtotal, Telecommunications	(690,000)	(690,000)	(690,000)	---	---
Total, Loan authorizations	(6,940,000)	(6,190,000)	(6,940,000)	---	(+750,000)
Loan Subsidy:					
Telecommunications Direct, Treasury Rate	863	863	1,725	+862	+862
Total, Loan subsidies	863	863	1,725	+862	+862
RETLP administrative expenses (transfer to RD)	33,270	38,027	33,270	---	-4,757
Total, Rural Electrification and Telecommunications Loans Program Account.	34,133	38,890	34,995	+862	-3,895
(Loan authorization)	(6,940,000)	(6,190,000)	(6,940,000)	---	(+750,000)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Broadband Program:					
Loan authorizations:					
Broadband telecommunications	(29,851)	(23,149)	(29,851)	---	(+6,702)
Total, Loan authorizations	(29,851)	(23,149)	(29,851)	---	(+6,702)
Loan subsidies and grants:					
Distance learning and telemedicine:					
Grants	32,000	23,600	34,000	+2,000	+10,400
Broadband telecommunications:					
Direct	5,000	4,521	5,830	+830	+1,309
Grants	30,000	30,000	30,000	---	---
Total, Loan subsidies and grants	67,000	58,121	69,830	+2,830	+11,709
DLTBP administrative expenses (transfer to RD)	---	8,057	---	---	-8,057
Total, Rural Utilities Service	661,396	123,217	653,515	-7,881	+530,298
(Loan authorization)	(8,219,851)	(7,413,149)	(8,419,851)	(+200,000)	(+1,006,702)
Total, title III, Rural Development Programs	3,000,881	1,797,511	3,011,730	+10,849	+1,214,219
(By transfer)	(449,992)	(456,073)	(449,992)	---	(-6,081)
(Loan authorization)	(37,601,223)	(35,173,149)	(37,740,027)	(+138,804)	(+2,566,878)

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION
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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services	800	800	800	---	---
Food and Nutrition Service:					
Child nutrition programs	24,196,139	23,123,983	23,082,781	-1,113,358	-41,202
School breakfast program equipment grants	30,000	---	30,000	---	+30,000
Demonstration projects (Summer EBT)	28,000	22,957	28,000	---	+5,043
Total, Child nutrition programs	24,254,139	23,146,940	23,140,781	-1,113,358	-6,159
Special supplemental nutrition program for women, infants, and children (WIC)	6,175,000	5,750,000	6,075,000	-100,000	+325,000
Supplemental nutrition assistance program:					
(Food stamp program)	71,012,501	70,218,276	70,475,923	-536,578	+257,647
Reserve	3,000,000	3,000,000	3,000,000	---	---
FDPIR nutrition education services	998	---	998	---	+998
Total, Food stamp program	74,013,499	73,218,276	73,476,921	-536,578	+258,645
FY 2018	(74,013,499)	(73,218,276)	(73,476,921)	(-536,578)	(+258,645)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Commodity assistance program:					
Commodity supplemental food program	238,120	---	222,891	-15,229	+222,891
Farmers market nutrition program	18,548	---	18,548	---	+18,548
Emergency food assistance program	64,401	54,401	79,630	+15,229	+25,229
Pacific island and disaster assistance	1,070	1,070	1,070	---	---
Total, Commodity assistance program	322,139	55,471	322,139	---	+266,668
Nutrition programs administration	153,841	160,838	164,688	+10,847	+3,850
Total, Food and Nutrition Service	104,918,618	102,331,525	103,179,529	-1,739,089	+848,004
FY 2018	(104,918,618)	(102,331,525)	(103,179,529)	(-1,739,089)	(+848,004)
Total, title IV, Domestic Food Programs	104,919,418	102,332,325	103,180,329	-1,739,089	+848,004
FY 2018	(104,918,618)	(102,331,525)	(103,179,529)	(-1,739,089)	(+848,004)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Office of the Under Secretary for Trade and Foreign Agricultural Affairs	875	875	875	---	---
Office of Codex Alimentarius	3,796	3,796	3,976	+180	+180
Foreign Agricultural Service					
Salaries and expenses	199,666	193,085	213,890	+14,224	+20,805
(Transfer from export loans)	(6,382)	(6,717)	(6,382)	---	(-335)
Total, Salaries and expenses	206,048	199,802	220,272	+14,224	+20,470
Food for Peace Title I Direct Credit and Food for Progress Program Account, Administrative Expenses Farm Service Agency, Salaries and expenses (transfer to FSA)	149	142	142	-7	---
Food for Peace Title II Grants: Expenses	1,600,000	---	1,500,000	-100,000	+1,500,000

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Commodity Credit Corporation Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
Foreign Agriculture Service, S&E (transfer to FAS)	6,382	6,717	6,382	---	-335
Farm Service Agency S&E (transfer to FSA)	2,463	335	2,463	---	+2,128
Total, CCC Export Loans Program Account	8,845	7,052	8,845	---	+1,793
McGovern-Dole International Food for Education and Child Nutrition program grants	207,626	---	210,255	+2,629	+210,255
Total, title V, Foreign Assistance and Related Programs	2,020,957	204,950	1,937,983	-82,974	+1,733,033
(By transfer)	(6,382)	(6,717)	(6,382)	---	(-335)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	2,800,078	3,171,920	3,068,678	+268,600	-103,242
Prescription drug user fees	(911,346)	(960,568)	(1,010,323)	(+98,977)	(+49,755)
Medical device user fees	(193,291)	(196,668)	(204,730)	(+11,439)	(+8,062)
Human generic drug user fees	(493,600)	(501,396)	(501,721)	(+8,121)	(+325)
Biosimilar biological products user fees	(40,214)	(40,922)	(38,847)	(-1,367)	(-2,075)
Animal drug user fees	(18,093)	(30,331)	(30,331)	(+12,238)	---
Animal generic drug user fees	(9,419)	(18,336)	(18,335)	(+8,916)	(-1)
Tobacco product user fees	(672,000)	(712,000)	(712,000)	(+40,000)	---
Subtotal, user fees, enacted and definite	(2,337,963)	(2,460,221)	(2,516,287)	(+178,324)	(+56,066)
Subtotal (including user fees)	(5,138,041)	(5,632,141)	(5,584,965)	(+446,924)	(-47,176)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Mammography user fees	(20,522)	(20,522)	(20,522)	---	---
Export user fees	(4,696)	(4,696)	(4,696)	---	---
Color certification user fees	(10,125)	(10,062)	(10,062)	(-63)	---
Food and Feed Recall user fees	(1,434)	(1,434)	(1,434)	---	---
Food Reinspection fees	(6,414)	(6,414)	(6,414)	---	---
Voluntary qualified importer program fees	(5,300)	(5,300)	(5,300)	---	---
Pharmacy compounding fees	(1,446)	(1,520)	(1,446)	---	(-74)
Priority review vouchers (PRV) pediatric disease	(7,686)	(7,686)	(7,686)	---	---
Third party auditor	(1,400)	(712)	(712)	(-688)	---
Over-the-Counter Monograph fees	---	(22,000)	(22,000)	(+22,000)	---
Increased export certification fees	---	(4,280)	---	---	(-4,280)
Subtotal, FDA user fees	(2,396,986)	(2,544,847)	(2,596,559)	(+199,573)	(+51,712)
Subtotal, FDA (including user fees)	(5,197,064)	(5,716,767)	(5,665,237)	(+468,173)	(-51,530)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Buildings and facilities	11,788	11,788	11,788	---	---
FDA Innovation account	60,000	70,000	70,000	+10,000	---
Offset of appropriation pursuant to Section 1002 (b)(3)(B) of the 21st Century Cures Act (P.L. 114-255)	-60,000	-70,000	-70,000	-10,000	---
Spending of FDA innovation account (transfer)	---	70,000	70,000	+70,000	---
Total, FDA (w/user fees, including proposals)	(5,208,852)	(5,728,555)	(5,677,025)	(+468,173)	(-51,530)
Total, FDA (w/enacted user fees only)	(5,208,852)	(5,728,555)	(5,677,025)	(+468,173)	(-51,530)
Total, FDA (excluding user fees)	2,811,866	3,183,708	3,080,466	+268,600	-103,242
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission 1/	249,000	---	---	-249,000	---
Farm Credit Administration (limitation on administrative expenses)	(70,600)	(74,600)	(74,600)	(+4,000)	---
Total, title VI, Food and Drug Administration	3,060,866	3,183,708	3,080,466	+19,600	-103,242

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE VII - GENERAL PROVISIONS					
Limit Dam Rehab	---	-46,150	---	---	+46,150
Limit Environmental Quality Incentives Program	---	-136,260	---	---	+136,260
Limit Biomass Crop Assistance Program	-21,000	---	---	+21,000	---
Centers of Excellence	---	---	5,000	+5,000	+5,000
Limit Ag Management Assistance	---	-9,380	---	---	+9,380
RMAP	---	---	3,000	+3,000	+3,000
Food for Progress	---	---	10,000	+10,000	+10,000
Food for Progress	---	---	6,000	+6,000	+6,000
Limit fruit and vegetable program	---	-125,000	---	---	+125,000
Section 32 (rescission)	---	-342,000	---	---	+342,000
WIC (rescission)	-800,000	-215,000	-500,000	+300,000	-285,000
Limit CSP	---	-27,000	---	---	+27,000
Rural Water Waste Disposal	---	-51,000	---	---	+51,000
RCFP	---	-3,046	---	---	+3,046
FAS S&E	---	-18,000	---	---	+18,000
Water and Waste	500,000	---	75,000	-425,000	+75,000
Citrus Greening	7,500	---	8,500	+1,000	+8,500
Healthy Food Financing Initiative	1,000	---	2,000	+1,000	+2,000
Hardwood Trees (Reforestation Pilot Program)	600	---	---	-600	---
Water Bank program	4,000	---	4,000	---	+4,000
Geographic Disadvantaged farmers	1,996	---	1,996	---	+1,996
Food for Peace	116,000	---	216,000	+100,000	+216,000
Rural Energy Savings Program	8,000	---	10,000	+2,000	+10,000
Maturing mortgage pilot	1,000	---	1,000	---	+1,000
FSA ARC pilot	5,000	---	5,000	---	+5,000
NIFA Military Veteran Grants	5,000	---	5,000	---	+5,000

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Conservation Reserve Program Pilot	1,000	---	1,000	---	+1,000
Child Nutrition Training pilot	2,000	---	---	-2,000	---
Broadband Pilot	600,000	---	125,000	-475,000	+125,000
Opioid Enforcement and Surveillance	94,000	---	---	-94,000	---
Electric Loan Refinancing	5,000	---	---	-5,000	---
Distance Learning Telemedicine	20,000	---	16,000	-4,000	+16,000
Farm to School	5,000	---	5,000	---	+5,000
NIFA Lease	6,000	---	---	-6,000	---
Tree Assistance Program	15,000	---	---	-15,000	---
Fruit Fly Quarantine	---	---	9,000	+9,000	+9,000
Treasury symbol 128/90600 (rescission)	---	---	-5,000	-5,000	-5,000
Total, title VII, General Provisions	577,096	-972,836	3,496	-573,600	+976,332

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
OTHER APPROPRIATIONS					
ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS ACT, 2017					
Supplemental Nutritional Assistance Program (emergency)	1,270,000	---	---	-1,270,000	---
Total, Additional Supplemental Appropriations for Disaster Relief Requirements Act (P.L. 115-72))	1,270,000	---	---	-1,270,000	---
BIPARTISAN BUDGET ACT(P.L. 115-123)					
Office of the Secretary (emergency)	2,360,000	---	---	-2,360,000	---
Office of Inspector General (emergency)	3,000	---	---	-3,000	---
ARS, Buildings and Facilities (emergency)	22,000	---	---	-22,000	---
Emergency Conservation Program (emergency)	400,000	---	---	-400,000	---
Watershed and Flood and Prevention Operations (emergency)	541,000	---	---	-541,000	---
Rural Housing Insurance Fund Program Account (emergency)	19,000	---	---	-19,000	---
Rural Water and Waste Disposal Program Account (emergency)	165,000	---	---	-165,000	---
Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) (emergency)	14,000	---	---	-14,000	---
Commodity Assistance Program (emergency)	24,000	---	---	-24,000	---
FDA, Buildings and Facilities (emergency)	8,000	---	---	-8,000	---

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Sec. 20101 (a) LIP (emergency)	3,000	---	---	-3,000	---
Sec. 20101 (b) ELAP (emergency)	30,000	---	---	-30,000	---
Sec. 20101(c) TAP (emergency)	7,000	---	---	-7,000	---
AGI Payment Limitations (emergency)	2,000	---	---	-2,000	---
Total, Bipartisan Budget Act (P.L. 115-123)	3,598,000	---	---	-3,598,000	---
Total, OTHER APPROPRIATIONS	4,868,000	---	---	-4,868,000	---
(emergency)	4,868,000	---	---	-4,868,000	---
Grand total	151,347,985	138,968,003	152,191,831	+843,846	+13,223,828
Appropriations	(147,279,985)	(139,750,003)	(152,696,831)	(+5,416,846)	(+12,946,828)
Emergency appropriations	(4,868,000)	---	---	(-4,868,000)	---
Rescissions	(-800,000)	(-782,000)	(-505,000)	(+295,000)	(+277,000)
(By transfer)	(794,689)	(766,273)	(846,910)	(+52,221)	(+80,637)
(Loan authorization)	(45,606,833)	(42,790,817)	(45,727,695)	(+120,862)	(+2,936,878)
(Limitation on administrative expenses)	(191,827)	(220,582)	(195,827)	(+4,000)	(-24,755)

/1 The FY19 budget year request for the Commodity Futures Trading Commission is reflected on the bill report for the Financial Services subcommittee

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DIVISION C — COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Report language included in House Report 115–704 ("the House report") or Senate Report 115–275 ("the Senate report") that is not changed by this explanatory statement or the Act is approved. The explanatory statement, while repeating some language for emphasis, is not intended to negate the language referred to above unless expressly provided herein. In cases where both the House report and the Senate report address a particular issue not specifically addressed in the explanatory statement, the House report and the Senate report should be read as consistent and are to be interpreted accordingly. In cases where the House report or the Senate report directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations ("the Committees").

Each department and agency funded in this Act shall follow the directions set forth in this Act and the accompanying explanatory statement, and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to: funds provided in this Act; unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2019; and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2019. These procedures are specified in section 505 of this Act.

Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Any program, project, or activity cited in this explanatory statement, or in the House report or the Senate report and not changed by this Act, shall be construed as the position of the Congress and shall not be subject to reductions or reprogramming without prior approval of the Committees. Further, any department or agency funded in this Act that plans a reduction-in-force shall notify the Committees by letter no later than 30 days in advance of the date of any such planned personnel action.

When a department or agency submits a reprogramming or transfer request to the Committees and does not receive identical responses, it shall be the responsibility of the department or agency seeking the reprogramming to reconcile the differences between the two bodies before proceeding. If reconciliation is not possible, the items in disagreement in the reprogramming or transfer request shall be considered unapproved. Departments and agencies

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shall not submit reprogramming notifications after July 1, 2019, except in extraordinary circumstances. Any such notification shall include a description of the extraordinary circumstances.

In compliance with section 533 of this Act, each department and agency funded in this Act shall submit spending plans, signed by the respective department or agency head, for the Committees' review not later than 45 days after enactment.

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TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The agreement includes $495,000,000 in total resources for the International Trade Administration (ITA). This amount is offset by $11,000,000 in estimated fee collections, resulting in a direct appropriation of $484,000,000. The agreement provides no less than $88,500,000 for Enforcement and Compliance and no less than $320,000,000 for Global Markets. The agreement adopts Senate report language regarding SelectUSA.

U.S. and Foreign Commercial Service (US&FCS).—The agreement rejects the proposed cuts to the US&FCS and provides no less than the amount provided in fiscal year 2018. ITA shall submit quarterly reports to the Committees, due not later than 30 days after the end of each quarter, detailing staffing levels within the US&FCS, including a breakout of Foreign Service Officers, Locally Engaged Staff, and U.S. field staff. These reports shall also include obligations by object class for the US&FCS for the given quarter, and shall include a comparison of staffing and obligation levels for the same quarter in the past three fiscal years along with an explanation of any significant variances compared to the prior year quarters. The first such report shall include a discussion of the reasons for ITA not maintaining Foreign Service Officer staffing within the funding provided for the US&FCS over the last three fiscal years.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $118,050,000 for the Bureau of Industry and Security (BIS).

The agreement does not adopt House report language relating to the division of funds between Export Administration, Export Enforcement, and Management and Policy Coordination. Instead, the agreement includes bill language to ensure that the additional resources above enacted for BIS are devoted to an effective Section 232 exclusion process. The Department shall provide quarterly reports to the Committees, due not later than 15 days after the end of each

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quarter, on the implementation of the exclusion process, which shall include: (a) the number of exclusion requests received; (b) the number of exclusion requests approved and denied; (c) the status of efforts to assist small- and medium-sized businesses in navigating the exclusion process; (d) Department-wide staffing levels for the exclusion process, including information on any staff detailed to complete this task; and (e) Department-wide funding by source appropriation and object class for costs undertaken to process the exclusions.

ECONOMIC DEVELOPMENT ADMINISTRATION

The agreement includes $304,000,000 for the programs and administrative expenses of the Economic Development Administration (EDA). Section 523 of the agreement includes a rescission of $10,000,000 in Economic Development Assistance Program balances. The funds shall be derived from recoveries and unobligated grant funds that were not appropriated with emergency or disaster relief designations.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The agreement includes $265,000,000 for Economic Development Assistance Programs. Funds are to be distributed as follows; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Public Works	$117,500,000
Partnership Planning	$33,000,000
Technical Assistance	$9,500,000
Research and Evaluation	$1,500,000
Trade Adjustment Assistance	$13,000,000
Economic Adjustment Assistance	$37,000,000
Assistance to Coal Communities	$30,000,000
Section 27 Regional Innovation Program Grants	$23,500,000
Total	$265,000,000

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SALARIES AND EXPENSES

The agreement includes $39,000,000 for EDA salaries and expenses.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The agreement includes $40,000,000 for the Minority Business Development Agency (MBDA), an increase of $1,000,000 above fiscal year 2018. MBDA is directed to allocate the majority of its total appropriation, including the entire increase above fiscal year 2018, toward cooperative agreements, external awards, and grants, including not less than $10,400,000 to continue MBDA's traditional Business Center program and Specialty Project Center program. The agreement does not approve of the Department's recent proposal to transform MBDA's service delivery model, but transformation proposals can be considered if proposed as part of the Department's fiscal year 2020 budget request. While the agreement is supportive of MBDA and its programs, MBDA is encouraged to obtain an independent external evaluation of its various programs.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The agreement includes $101,000,000 for Economic and Statistical Analysis. Senate and House language regarding the Outdoor Recreation Satellite Account is adopted, and the agreement provides $1,500,000 to continue this work in fiscal year 2019.

Income Growth Indicators.—The Bureau of Economic Analysis (BEA) is encouraged to work with the relevant additional agencies to develop and begin reporting on income growth indicators. In these indicators, BEA is encouraged to report at least annually on how incomes grow in each decile of the income distribution, no later than 2020. BEA is encouraged to include the latest available estimates of these measures with each report or update issued by the agency on the Gross Domestic Product of the United States.

BUREAU OF THE CENSUS

The agreement includes $3,821,388,000 for the Bureau of the Census.

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CURRENT SURVEYS AND PROGRAMS

The agreement includes $270,000,000 for the Current Surveys and Programs account of the Bureau of the Census.

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $3,551,388,000 for the Periodic Censuses and Programs account of the Bureau of the Census.

In October 2017, the Secretary of Commerce delivered a new life-cycle cost estimate for the 2020 Decennial Census totaling $15,625,000,000. In addition to reliance on a new independent cost estimate, the Secretary's estimate includes additional assumptions to enhance the robustness and reliability of the program. For example, the new estimate assumes the need for additional in-person follow-up visits due to fewer households expected to initially respond to the Census. In addition, the Census Bureau is directed to provide the Committees with notification 15 days before any spending it intends to incur in fiscal year 2019 that is above the amounts included in the October 2017 life-cycle cost estimate for fiscal year 2019.

2020 Census Partnership and Communications Activities.—The agreement reiterates House and Senate language regarding the Bureau's partnership and communications efforts aimed at maximizing self-response to the 2020 Decennial Census. Additionally, the Bureau shall devote funding to expand targeted communications activities as well as to open local questionnaire assistance centers in hard-to-count communities.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

The agreement includes $39,500,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA). The agreement provides up to $7,500,000 to continue the broadband mapping effort started in fiscal year 2018 and adopts Senate report language regarding rural and tribal communities. The agreement modifies Senate language regarding a standardized process, to direct NTIA to work with the Federal Communications Commission to improve the collection of broadband data.

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UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The agreement includes language making available to the United States Patent and Trademark Office (USPTO) $3,370,000,000, the full amount of offsetting fee collections estimated for fiscal year 2019 by the Congressional Budget Office. The agreement transfers $1,500,000 to the Office of Inspector General to continue oversight and audits of USPTO operations and budget transparency.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The agreement includes $985,500,000 for the National Institute of Standards and Technology (NIST).

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $724,500,000 for NIST's Scientific and Technical Research and Services (STRS) account. The agreement rejects the proposed terminations and reductions for all STRS programs and provides not less than fiscal year 2018 funding for: Cybersecurity and Privacy; Advanced Manufacturing and Material Measurements; Quantum Science; Advanced Communications, Networks, and Scientific Data Systems; Biological Science and Health Measurements; Environmental Measurements; Time and Fundamental Measurement Dissemination; Physical Infrastructure and Resilience; the Special Programs Office; the Standards Coordination Office; the Baldrige Performance Excellence Program; NIST Center of Excellence Program; and NIST User Facilities. The Senate report language regarding forensic sciences is adopted by reference.

INDUSTRIAL TECHNOLOGY SERVICES

The agreement includes $155,000,000 in total for Industrial Technology Services, including $140,000,000 for the Hollings Manufacturing Extension Partnership and $15,000,000 for the National Network for Manufacturing Innovation, to include funding for center establishment and up to $5,000,000 for coordination activities.

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CONSTRUCTION OF RESEARCH FACILITIES

The agreement includes $106,000,000 for Construction of Research Facilities.

Safety, Capacity, Maintenance, and Major Repairs (SCMMR).—Within the amount provided for Construction of Research Facilities, the agreement includes no less than $75,000,000 for NIST to address its most pressing SCMMR projects.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Judgment Fund Repayment.—The agreement does not provide funding for the National Oceanic and Atmospheric Administration (NOAA) to make payments to the Department of Treasury Judgment Fund. NOAA is directed to request all future Judgment Fund payments through the regular budget process.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

The agreement includes a total program level of $3,772,477,000 under this account for the coastal, fisheries, marine, weather, satellite, and other programs of NOAA. This total funding level includes $3,596,997,000 in direct appropriations; a transfer of $157,980,000 from balances in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" fund; and $17,500,000 derived from recoveries of prior year obligations.

The following narrative descriptions and tables identify the specific activities and funding levels included in this Act.

National Ocean Service (NOS).—$581,567,000 is for NOS Operations, Research, and Facilities.

INSERT 8A

Coastal Science, Assessment, Response and Restoration.—The agreement provides $2,372,000 for the operations and staffing of the Gulf of Mexico Disaster Response Center. Additionally, in lieu of Senate language regarding emergency preparedness training, the agreement supports the requested increase for the Disaster Preparedness Program to bolster NOS's emergency response to coastal storms and other disasters.

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INSERT 8A

NATIONAL OCEAN SERVICE

Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Navigation, Observations and Positioning	
Navigation, Observations and Positioning	$156,467
Integrated Ocean Observing System Regional Observations	38,500
Hydrographic Survey Priorities/Contracts	32,000
Navigation, Observations and Positioning	226,967
Coastal Science and Assessment	
Coastal Science, Assessment, Response and Restoration	77,500
Competitive External Research	18,000
Coastal Science and Assessment	95,500
Ocean and Coastal Management and Services	
Coastal Zone Management and Services	43,500
Coastal Zone Management Grants	75,500
Title IX Fund	30,000
Coral Reef Program	27,600
Sanctuaries and Marine Protected Areas	55,500
National Estuarine Research Reserve System	27,000
Ocean and Coastal Management and Services	259,100
Total, National Ocean Service, Operations, Research, and Facilities	$581,567

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National Geodetic Survey.—The agreement provides $500,000 above the request to support continued development and advancement of geospatial analytical and mapping techniques to precisely update shorelines in a common data format.

Regional Data Portals.—Within funding for Integrated Ocean Observing System (IOOS) Regional Observations, $1,500,000 is for the regional ocean partnerships, or their equivalent, to enhance their capacity for sharing and integration of Federal and non-Federal data to support regional coastal, ocean, and Great Lakes management priorities as outlined in Executive Order 13840. The IOOS Program Office shall coordinate with the Office of Coastal Management on the implementation of these funds. This effort is not intended to detract from the existing work of IOOS, but to enhance collaboration and coordination in the regions. Additionally, Senate language regarding IOOS is adopted.

Harmful Algal Blooms.—The agreement adopts House and Senate language regarding Harmful Algal Blooms. Within the funds available for Coastal Science and Assessment, a $5,000,000 increase is for additional Competitive External Research to determine and mitigate the impact of Harmful Algal Blooms in marine and freshwater habitats.

Hydrographic Surveys and Contracts.—The agreement adopts House and Senate report language regarding the backlog in hydrographic survey work and charting in the Arctic. In addition, NOAA is directed to make navigationally significant waters impacted by disasters a priority.

Marine Debris.—The agreement adopts Senate report language regarding Marine Debris and provides the program $500,000 above the enacted level.

Coastal Observing Assets.—The agreement includes $1,500,000 within Navigation, Observation and Positioning to replace or repair degraded or unreliable coastal, ocean, and Great Lakes observing assets.

National Marine Fisheries Service (NMFS).—$908,832,000 is for NMFS Operations, Research, and Facilities.

INSERT 9A

Consultation and Permitting Capacity.—Senate guidance under NMFS for addressing Endangered Species Act and Essential Fish Habitat consultation backlogs is adopted. The

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INSERT 9A

NATIONAL MARINE FISHERIES SERVICE

Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Protected Resources Science and Management	
Marine Mammals, Sea Turtles and Other Species	$118,348
Species Recovery Grants	7,000
Atlantic Salmon	6,500
Pacific Salmon	65,000
Protected Resources Science and Management	196,848
Fisheries Science and Management	
Fisheries and Ecosystem Science Programs and Services	147,107
Fisheries Data Collections, Surveys and Assessments	168,086
Observers and Training	53,955
Fisheries Management Programs and Services	121,116
Aquaculture	15,000
Salmon Management Activities	37,000
Regional Councils and Fisheries Commissions	40,175
Interjurisdictional Fisheries Grants	3,365
Fisheries Science and Management	585,804
Enforcement	69,796
Habitat Conservation and Restoration	56,384
Total, National Marine Fisheries Service, Operations, Research, and Facilities	$908,832

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agreement provides increases of $3,000,000 in Protected Resources Science and Management, and $3,000,000 in Habitat Conservation and Restoration for these purposes.

Economic Impact of Turtle Excluder Devices (TEDs).—The agreement adopts House and Senate language regarding the economic impact of TEDs but clarifies that the House and Senate require only a single report on the specific steps NMFS would consider taking to eliminate the negative economic impact of any rule requiring TEDs. NMFS is directed to deliver the report as soon as possible, but not later than 90 days prior to the release of any rule.

Gulf of Mexico Red Snapper.—Senate guidance on stock assessments used for management of reef fish in the Gulf of Mexico is adopted. Within the level of funding provided for Fisheries Data Collections, Surveys and Assessments, NMFS shall work on development, implementation, and validation of electronic logbooks for the Federally permitted charter-for-hire sector, as described in the House report, and continue to provide technical support to the Gulf States, as described in the Senate report.

Oyster Restoration.—The agreement provides $1,500,000 within Habitat Conservation and Restoration for oyster restoration, as described in House report language.

Salmon Management Activities.—The agreement recognizes the importance of implementing the newly renewed Pacific Salmon Treaty Agreement and includes up to $1,500,000 above the fiscal year 2018 level for these purposes.

Offshore Wind.—The agreement does not adopt House or Senate language regarding offshore wind.

Highly Migratory Species.—In lieu of House and Senate language, direction is provided for this activity under Oceanic and Atmospheric Research, National Sea Grant College Program.

California operations.—House report language regarding California operations is not adopted.

Biological Opinion Prioritization.—House report language regarding Biological Opinion Prioritization is not adopted.

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Office of Oceanic and Atmospheric Research (OAR).—$525,060,000 is for OAR Operations, Research, and Facilities.

INSERT 11A

National Integrated Drought Information System (NIDIS).—The agreement provides $13,500,000 for NIDIS activities.

Ocean Exploration and Research.—The agreement adopts House and Senate report language regarding ocean exploration and research. The agreement supports the use of existing tele-presence technology, and applied exploration, to map critically important mineral deposits within America's exclusive economic zone and sites of submerged human history, particularly in the Pacific.

Multi-Function Phased Array Radar (MPAR) Program.—The fiscal year 2018 appropriations Act directed NOAA to maintain its leadership in the Spectrum Efficient National Surveillance Radar (SENSR) Program. There is frustration with the decision to de-scope the SENSR program by removing the high-resolution weather sensing requirements, and concern that NOAA is unprepared to execute a weather radar follow-on program. In lieu of Senate language, the agreement directs OAR, in coordination with the National Weather Service, to develop and submit to the Committees, within 90 days of enactment of this Act, a weather radar follow-on research-to-operations transition plan, in accordance with the requirements for agency transition plans set forth under NOAA Administrative Order 216-105B, section 3.06.

Oceanographic Research Partnership Program.—$5,500,000 is for NOAA to advance ocean science research through the program established under 10 U.S.C. 7901. Senate guidance for this funding and support for Ocean Joint Technology Transfer Initiative projects funded in fiscal year 2018 is adopted.

Joint Technology Transfer Initiative (JTTI).—House language regarding JTTI is adopted. Of the amount provided for JTTI, up to $5,000,000 shall be available to pursue innovative, modern techniques to accelerate the transition of weather research to operations.

Highly Migratory Species.—In lieu of House and Senate language under NMFS, the agreement provides up to $2,000,000 within OAR for the Sea Grant program to partner with State agencies, academia, and the fishing industry to research highly migratory fish species in the

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INSERT 11A

OFFICE of OCEANIC AND ATMOSPHERIC RESEARCH

Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Climate Research	
Laboratories and Cooperative Institutes	$61,000
Regional Climate Data and Information	38,000
Climate Competitive Research, Sustained Observations and Regional Information	60,000
Climate Research	159,000
Weather and Air Chemistry Research	
Laboratories and Cooperative Institutes	85,758
U.S. Weather Research Program	17,000
Tornado Severe Storm Research/Phased Array Radar	12,622
Joint Technology Transfer Initiative	20,000
Weather and Air Chemistry Research	135,380
Ocean, Coastal and Great Lakes Research	
Laboratories and Cooperative Institutes	36,000
National Sea Grant College Program	68,000
Marine Aquaculture Program	12,000
Ocean Exploration and Research	42,000
Integrated Ocean Acidification	12,000
Sustained Ocean Observations and Monitoring	43,000
Oceanographic Research Partnership Program	5,500
Ocean, Coastal and Great Lakes Research	218,500
High Performance Computing Initiatives	12,180
Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities	$525,060

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Gulf of Mexico and the Atlantic. This should include examining the impact of offshore oil platforms on the biology of highly migratory species, such as yellow fin tuna. Highly migratory species, and the coastal communities that rely on the health of these stocks, could greatly benefit from improved, science-based management and conservation.

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National Weather Service (NWS).—$1,020,719,000 is for NWS Operations, Research, and Facilities.

INSERT 13A

Quarterly Briefings.—The fiscal year 2018 appropriations Act directed the NWS to provide quarterly briefings to the Committees on all NWS management and budget issues. The agreement adopts House and Senate language regarding such reporting. However, there is frustration and disappointment that the NWS was unable to provide any quarterly briefings during fiscal year 2018. The American people entrust the NWS with more than $1,000,000,000 each year to provide accurate weather forecasting. It is unacceptable that the NWS is unwilling or unable to report to the Committees on its operations. The leadership of the Department of Commerce and NOAA shall ensure NWS improves the transparency of its operations and provides quarterly briefings on management and budget issues to the Committees.

National Mesonet Program.—The agreement adopts Senate report language on the National Mesonet Program and provides $19,000,000 for these activities.

Advanced Weather Interactive Processing System (AWIPS).—Within the increased funding for Central Processing, the agreement fully funds the request for the AWIPS Cyclical Refreshment.

Facilities Maintenance.—Within funding for Analyze, Forecast, and Support, the agreement provides $8,000,000 for the National Weather Service's highest priority facilities repair and deferred maintenance requirements at Weather Forecast Offices. Thirty days prior to obligating any of these additional facilities repair and deferred maintenance funds, NWS shall submit a report providing: (1) a prioritized list of NWS deferred facilities maintenance needs, based on the facilities condition assessment; and (2) an estimate of the total amount and composition of deferred facilities maintenance. In subsequent fiscal years, NOAA shall request resources in line with the September 2017 NWS Facilities Strategic Plan.

Dissemination.—House report language regarding the Integrated Dissemination Program system is not adopted.

National Water Center (NWC) Operations.—The agreement adopts Senate language under NWS for the NWC and provides an additional $1,500,000 within Analyze, Forecast, and

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INSERT 13A

NATIONAL WEATHER SERVICE

Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Observations	$224,363
Central Processing	97,890
Analyze, Forecast and Support	505,438
Dissemination	50,028
Science and Technology Integration	143,000
Total, National Weather Service, Operations, Research, and Facilities	$1,020,719

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Support to expedite hiring within the NWC Water Prediction Operations Division. The increasing prevalence and severity of flooding events results in loss of life and billions of dollars of property damage. While NOAA has made progress in developing next-generation water modeling capabilities, such as the National Water Model, it is imperative that these technologies be transitioned into operations to enable more accurate and longer range flood forecasts. Objective 3.3 of the Department of Commerce's Strategic Plan directs NOAA to begin demonstrating these capabilities. Therefore, NWS should also simultaneously be preparing to operationalize these capabilities. NWS is directed to develop and make public, by the end of fiscal year 2019, an operations and services policy directive that defines national instructions on operations at the NWC, and the content and provision of NWC products and services. Further, such policy should establish the NWC as the operational center of excellence for water prediction and related decision support services within NOAA.

National Environmental Satellite, Data and Information Service (NESDIS).—$242,666,000 is for National Environmental Satellite, Data and Information Service Operations, Research, and Facilities.

INSERT 14A

Mission Support.—$267,213,000 is for Mission Support Operations, Research, and Facilities.

INSERT 14B

Office of Marine and Aviation Operations (OMAO).—$226,420,000 is for OMAO Operations, Research, and Facilities.

INSERT 14C

Monitoring of Atmospheric Rivers.—Improving understanding of atmospheric rivers is critical to preparing for concentrated rain storms and flooding along the U.S. West Coast. Therefore, the agreement provides $1,000,000 for use of airborne assets to conduct increased winter storm observations to better observe and predict these extreme weather events.

Fleet Deferred Maintenance.—The agreement provides $9,500,000 above the request in OMAO's Operations, Research, and Facilities account, and $11,500,000 above the request in OMAO's Procurement, Acquisition and Construction account to address deferred maintenance

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INSERT 14A

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Office of Satellite and Product Operations	146,924
Product Development, Readiness and Application	31,000
Commercial Remote Sensing Regulatory Affairs	1,800
Office of Space Commerce	1,800
Group on Earth Observations	500
Environmental Satellite Observing Systems	182,024
National Centers for Environmental Information	60,642
Total, National Environmental Satellite, Data and Information Service, Operations, Research, and Facilities	$242,666

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INSERT 14B

MISSION SUPPORT

Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Mission Support	
Executive Leadership	$27,078
Mission Services and Management	148,000
IT Security	10,050
Payment to DOC Working Capital Fund	53,585
Mission Support Services	238,713
Office of Education	
BWET Regional Programs	7,500
Education Partnership Program/Minority Serving Institutions	16,000
NOAA Education Program Base	5,000
Office of Education	28,500
Total, Mission Support, Operations, Research and Facilities	$267,213

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INSERT 14C

OFFICE of MARINE AND AVIATION OPERATIONS

Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Office of Marine and Aviation Operations	
Marine Operations and Maintenance	$190,670
Aviation Operations and Aircraft Services	35,750
Total, Office of Marine and Aviation Operations	$226,420

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and technological refresh of NOAA's fleet. Within 120 days of enactment of this Act, NOAA shall update the Committees on the remaining deferred maintenance needs and the fleet maintenance strategy going forward.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The agreement includes a total program level of $1,768,349,000 in direct obligations for NOAA Procurement, Acquisition and Construction (PAC), of which $1,755,349,000 is appropriated from the general fund and $13,000,000 is derived from recoveries of prior year obligations. The following narrative and table identify the specific activities and funding levels included in this Act:

INSERT 15A

NWS Construction and Major Repair.—The agreement includes $19,000,000 for NWS Facilities Construction and Major Repair, and, within the amount provided, not less than $11,000,000 is to address NWS's most pressing major construction needs among the Weather Forecast Offices.

Polar Weather Satellites.—Senate language regarding Polar Weather Satellites is not adopted. The agreement maintains separate funding for the Joint Polar Satellite System (JPSS) and the Polar Weather Follow-on (PFO) Program and includes $548,035,000 and $329,956,000 for those programs, respectively. NOAA's proposal to combine the JPSS and PFO programs will continue to be considered, and NOAA is encouraged to provide the Committees, concurrent with the submission of its fiscal year 2020 budget request, a revised proposal that clearly identifies the cost and programmatic efficiencies that would be gained by combining these programs into one funding line.

NOAA Construction.—House and Senate reporting requirements regarding deferred facilities maintenance needs are adopted. Additionally, the agreement retains Senate language regarding Mission Support, facilities initiative.

Space Weather Follow-on.—The agreement includes $27,000,000 for Space Weather Follow-on. NOAA shall continue development and construction of two compact coronagraphs. Further, NOAA shall begin preparations to integrate a compact coronagraph on Geostationary

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INSERT 15A

PROCUREMENT, ACQUISITION and CONSTRUCTION

(in thousands of dollars)

Program	Amount
National Ocean Service	
National Estuarine Research Reserve Construction	$1,900
Marine Sanctuaries Construction	2,000
Total, NOS - PAC	3,900
Office of Oceanic and Atmospheric Research	
Systems Acquisition	
Research Supercomputing/CCRI	41,000
National Weather Service	
Systems Acquisition	
Observations	21,129
Central Processing	66,761
Dissemination	35,000
Subtotal, NWS, Systems Acquisition	122,890
Weather Forecast Office Construction	19,000
Total, NWS - PAC	141,890
National Environmental Satellite, Data and Information Service	
GOES R	408,380
Space Weather Follow-on	27,000
Joint Polar Satellite System	548,035
Polar Follow-on	329,956
CDARS	26,539
COSMIC 2/GNSS RO	5,892
Satellite Ground Services	58,000
System Architecture and Advanced Planning	4,929
Projects, Planning, and Analysis	40,000
Commercial Weather Data Pilot	6,000
Subtotal, NESDIS Systems Acquisition	1,454,731
Satellite CDA Facility	2,450
Total, NESDIS - PAC	1,457,181
Mission Support	
NOAA Construction	25,000
Office of Marine and Aviation Operations	
Fleet Capital Improvements and Technology Infusion	24,378
New Vessel Construction	75,000
Total, OMAO - PAC	99,378
Total, Procurement, Acquisition, and Construction	$1,768,349

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Operational Environmental Satellite-U and coordinate with the National Aeronautics and Space Administration to launch a compact coronagraph as a ride-share with the Interstellar Mapping and Acceleration Program mission to ensure continuation of Federal space weather sentinel and forecasting capabilities.

NOAA Marine Operations Facilities.—As a result of the submission of the report required in fiscal year 2018 regarding the facility to accommodate the NOAA fisheries research vessel Henry B. Bigelow, the agreement does not adopt the Senate report language withholding certain funding. NOAA Construction funding may be used to implement the recommendations of the report. In the future, the NOAA is expected to meet its reporting deadlines.

PACIFIC COASTAL SALMON RECOVERY

The agreement includes $65,000,000 for Pacific Coastal Salmon Recovery. The agreement adopts the House approach to the allocation of funds to eligible grantees.

FISHERMEN'S CONTINGENCY FUND

The agreement includes $349,000 for the Fishermen's Contingency Fund.

FISHERY DISASTER ASSISTANCE

The agreement includes $15,000,000 for fishery disaster assistance.

FISHERIES FINANCE PROGRAM ACCOUNT

The agreement includes language under this heading limiting obligations of direct loans to $24,000,000 for Individual Fishing Quota loans and $100,000,000 for traditional direct loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The agreement includes $63,000,000 for Departmental Management salaries and expenses.

Space Commerce.—The Department transmitted a legislative proposal to create, within the Department, a Bureau of Space Commerce in response to Presidential Space Directive-2, Streamlining Regulations on Commercial Use of Space. The mission of the proposed Bureau of Space Commerce would be to encourage commercial space activity, streamline regulations, and

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consolidate Department of Commerce space commerce functions. The Department shall work with appropriations and authorizing committees on any future implementation of this legislative proposal. Until such time that a Bureau of Space Commerce is established in law, the agreement provides sufficient funds to support the Office of Space Commerce, within NOAA NESDIS, and directs the Department to fully utilize its current offices and authorities to encourage the commercial use of space.

OFFICE OF INSPECTOR GENERAL

The agreement includes a total of $41,102,000 for the Office of Inspector General. This amount includes $32,744,000 in direct appropriations, a $1,500,000 transfer from USPTO, a transfer of $3,556,000 from the Bureau of the Census, Periodic Censuses and Programs, and $1,302,000 from NOAA PAC for audits and reviews of those programs. In addition, $2,000,000 is derived from the Public Safety Trust Fund for oversight of FirstNet.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

The agreement includes the following general provisions for the Department of Commerce:

Section 101 makes funds available for advanced payments only upon certification of officials, designated by the Secretary, that such payments are considered to be in the public interest.

Section 102 makes appropriations for Department salaries and expenses available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce appropriation accounts and requires 15 days advance notification to the Committees on Appropriations for certain actions.

Section 104 provides congressional notification requirements for NOAA satellite programs and includes life cycle cost estimates for certain weather satellite programs.

Section 105 provides for reimbursement for services within Department of Commerce buildings.

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Section 106 clarifies that grant recipients under the Department of Commerce may continue to deter child pornography, copyright infringement, or any other unlawful activity over their networks.

Section 107 provides the NOAA Administrator with the authority to avail NOAA of resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 108 prohibits the National Technical Information Service from charging for certain services.

Section 109 allows NOAA to be reimbursed by Federal and non-Federal entities for performing certain activities.

Section 110 provides the Economics and Statistics Administration certain authority to enter into cooperative agreements.

Section 111 provides for certain joint enforcement agreement activities.

Section 112 amends Public Law 115–123 regarding NOAA facilities.

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TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The agreement includes $113,000,000 for General Administration, Salaries and Expenses. This reduction of $1,000,000 from the fiscal year 2018 level reflects dissatisfaction with continued poor responsiveness to congressional inquiries. The Department shall comply with Senate Report 114–239 direction regarding timely responses to the Committees.

Fighting the Opioid Epidemic.—The agreement includes significant increases in both law enforcement and grant resources for the Department of Justice (DOJ) to continue combating the rising threat to public health and safety from opioid and heroin use and drug trafficking. This includes a total of $468,000,000, an increase of $21,500,000 more than fiscal year 2018, in DOJ grant funding to help State, local, and tribal communities respond to the opioid crisis. The Drug Enforcement Administration (DEA) is also funded at $2,687,703,000, an increase of $77,803,000 more than fiscal year 2018, to help fight drug trafficking, including heroin and fentanyl. Funding for DEA will also expand interdiction and intervention programs including the addition of at least four new heroin enforcement teams and DEA 360 Strategy programming.

Working Capital Fund and Non-appropriated Fund Budget Requests and Expenditure Plans.—DOJ shall include a detailed breakout of its non-appropriated funding sources in its future budget requests, as specified in the House report. DOJ shall include in its fiscal year 2019 spending plans for DOJ components details on non-appropriated funds with regard to the Working Capital Fund, retained earnings and unobligated transfers, and civil debt collection proceeds, as specified in the House and Senate reports.

The spending plans should include reports specified in the Senate report regarding Working Capital Fund carryover funds and Three Percent Fund collections and expenditures. In addition, DOJ shall continue to provide the Committees quarterly reports on the collections, balances, and obligations of these funds, as specified in the House and Senate reports.

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The agreement does not adopt section 539 of the House reported bill regarding civil settlement agreements. The Attorney General's June 5, 2017, memorandum, "Prohibition on Settlement Payments to Third Parties" addresses the treatment of such settlements.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $32,000,000 for Justice Information Sharing Technology.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $563,407,000 for the Executive Office for Immigration Review (EOIR), of which $4,000,000 is derived by transfer from fee collection. Within the funding provided, $11,400,000 is provided for the Legal Orientation Program (LOP). Senate report language regarding LOP and technology improvements is adopted.

In fiscal year 2018, Congress provided funding for 484 Immigration Judge (IJ) teams. Despite Departmental actions to accelerate the recruitment and hiring of immigration judges, only 395 IJ teams were on-board at the end of fiscal year 2018. The agreement provides funding for 534 IJ teams, including associated space and technology requirements.

Immigration Adjudication Performance and Reducing Case Backlog.—The Department shall continue efforts to accelerate the hiring and deployment of IJ teams, giving priority to the highest workload areas, and improving coordination with the Department of Homeland Security to institute fair and efficient court proceedings in detention facilities and ensure court appearances by non-detained individuals. The Department should continue to hire the most qualified IJs from a diverse pool of candidates to ensure the adjudication process is impartial and consistent with due process.

EOIR shall continue to submit monthly reports on performance and IJ hiring in the format and detail provided in fiscal year 2018, to include statistics available on the number of cases where visa overstay is a relevant factor and the median days pending for both detained and non-detained cases. The reports shall also list IJs who are temporarily deployed away from their permanent courtrooms, noting the permanent and temporary duty stations of each IJ and the length of such temporary duty assignments. To the extent EOIR has adopted new performance

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MULTI-HHS-18-0600-A and 18-604-A-001744

measures related to the efficient and timely completion of cases and motions, statistics reflecting those measures should be included in the report.

OFFICE OF INSPECTOR GENERAL

The agreement includes $101,000,000 for the Office of Inspector General.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The agreement includes $13,000,000 for the salaries and expenses of the United States Parole Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The agreement includes $904,000,000 for General Legal Activities, which supports the Department's full request for the Criminal Division (CRM) to sustain the Mutual Legal Assistance Treaty reform process, and provides increased funding for CRM and its Office of International Affairs for this purpose.

VACCINE INJURY COMPENSATION TRUST FUND

The agreement includes a reimbursement of $10,000,000 for DOJ expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660).

SALARIES AND EXPENSES, ANTITRUST DIVISION

The agreement includes $164,977,000 for the Antitrust Division. This appropriation is offset by an estimated $136,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of $28,977,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The agreement includes $2,212,000,000 for the Executive Office for United States Attorneys and the 94 United States Attorneys' offices, of which $25,000,000 shall remain available until expended.

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UNITED STATES TRUSTEE SYSTEM FUND

The agreement includes $226,000,000 for the United States Trustee Program.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The agreement includes $2,409,000 for the Foreign Claims Settlement Commission.

FEES AND EXPENSES OF WITNESSES

The agreement includes $270,000,000 for Fees and Expenses of Witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $15,500,000 for the Community Relations Service.

ASSETS FORFEITURE FUND

The agreement includes $20,514,000 for the Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The agreement includes $1,358,000,000 for the salaries and expenses of the United States Marshals Service (USMS).

CONSTRUCTION

The agreement includes $15,000,000 for construction and related expenses in space controlled, occupied, or utilized by the USMS for prisoner holding and related support.

FEDERAL PRISONER DETENTION

The agreement includes $1,552,397,000 for Federal Prisoner Detention.

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NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $101,369,000 for the salaries and expenses of the National Security Division.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The agreement includes $560,000,000 for the Organized Crime and Drug Enforcement Task Forces, of which $389,000,000 is for investigations and $171,000,000 is for prosecutions.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The agreement includes $9,192,137,000 for the salaries and expenses of the Federal Bureau of Investigation (FBI), including $1,771,000,000 for Intelligence, $3,750,000,000 for Counterterrorism and Counterintelligence, $3,122,000,000 for Criminal Enterprises and Federal Crimes, and $549,137,000 for Criminal Justice Services. Within funding provided, the FBI is expected to enhance its efforts regarding human trafficking investigations.

Terrorist Explosive Device Analytical Center (TEDAC).—The Terrorist Explosive Device Analytical Center laboratory at Redstone Arsenal has been accredited for forensic testing, including explosives, by the American National Standards Institute-American Society for Quality (ANSI-ASQ) National Accreditation Board. Accreditation represents a significant milestone for TEDAC and its staff and further cements the laboratory's role in performing forensic and technical exploitation of terrorist IEDs and explosives, both nationally and internationally.

Cyber-stalking and threat crimes investigations and prosecutions.—The FBI is expected to submit to the Committees the report as directed in House Report 115–231, and codified in Public Law 115–141, regarding increased instances of cyber-stalking and threats, including the need for additional resources. Both the FBI and US Attorneys are directed to investigate and prosecute cyber-stalking and other internet threat crimes to the fullest extent of the law.

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CONSTRUCTION

The agreement includes $385,000,000 for FBI construction, which supports the Senate's language on 21st Century Facilities and provides additional funding above the requested level for the FBI to address its highest priorities outside of the immediate national capital area.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The agreement includes a direct appropriation of $2,267,000,000 for the salaries and expenses of the DEA. In addition, DEA expects to derive $420,703,000 from fees deposited in the Diversion Control Fund to carry out the Diversion Control Program, resulting in $2,687,703,000 in total spending authority for DEA. Funding flexibility is provided to DEA to make improvements at its training academy.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The agreement includes $1,316,678,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $7,250,000,000 for the salaries and expenses of the Federal Prison System. House and Senate report language on treatment programming is adopted.

Residential Reentry Centers (RRCs)—Senate report language on RRCs is adopted for RRCs in compliance with Federal law.

BUILDINGS AND FACILITIES

The agreement includes $264,000,000 for the construction, acquisition, modernization, maintenance, and repair of prison and detention facilities housing Federal inmates, of which $175,000,000 is included for construction of new facilities. The Bureau of Prisons shall provide

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MULTI-HHS-18-0600-A and 18-604-A-001748

a list of planned Maintenance and Repair (M&R) projects to be carried out, with estimated costs and completion dates, with the fiscal year 2019 spending plan provided to the Committees, as well as an updated listing of remaining unfunded M&R projects.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

The agreement includes a limitation on administrative expenses of $2,700,000 for Federal Prison Industries, Incorporated.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the agreement includes $3,019,800,000 for State and local law enforcement and crime prevention programs. This amount includes $2,915,800,000 in discretionary budget authority, of which $497,500,000 is derived by transfer from the Crime Victims Fund. This amount also includes $104,000,000 scored as mandatory for Public Safety Officer Benefits.

House and Senate report language regarding management and administration expenses is adopted by reference, and it is clarified that the Department's methodology for assessing these costs should be both fair and equitable across all grant programs.

The agreement does not adopt House language regarding streamlining of grant administration.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $497,500,000 for the Office on Violence Against Women. These funds are distributed as follows:

INSERT 25A

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INSERT 25A

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS
(in thousands of dollars)

Program	Amount
STOP Grants	$215,000
Transitional Housing Assistance	36,000
Research and Evaluation on Violence Against Women	3,000
Consolidated Youth-Oriented Program	11,000
Grants to Encourage Arrest Policies	53,000
Homicide Reduction Initiative	(4,000)
Sexual Assault Victims Services	37,500
Rural Domestic Violence and Child Abuse Enforcement	42,000
Violence on College Campuses	20,000
Civil Legal Assistance	45,000
Elder Abuse Grant Program	5,000
Family Civil Justice	16,000
Education and Training for Disabled Female Victims	6,000
National Resource Center on Workplace Responses	1,000
Research on Violence Against Indian Women	1,000
Indian Country—Sexual Assault Clearinghouse	500
Tribal Special Domestic Violence Criminal Jurisdiction	4,000
Rape Survivor Child Custody Act	1,500
TOTAL, Violence Against Women Prevention and Prosecution Programs	$497,500

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OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

The agreement provides $80,000,000 for the Research, Evaluation and Statistics account. These funds are distributed as follows:

INSERT 26A

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $1,723,000,000 for State and Local Law Enforcement Assistance programs. These funds are distributed as follows:

INSERT 26B

Comprehensive Addiction and Recovery Act (CARA) programs.—The agreement provides a total of $347,000,000 for DOJ's CARA programs, an increase of $17,000,000 above the fiscal year 2018 level, including $12,000,000 above the fiscal year 2018 level for the Comprehensive Opioid Abuse Program (COAP). It is expected that the Bureau of Justice Assistance will be able to continue to make additional site-based program awards under the existing COAP structure including no less than: $5,000,000 for Law Enforcement Assisted Diversion (LEAD) programs; $10,000,000 for drug collection programs as described under Chapter 6 of Public Law 115–271; $3,000,000 for forensics services for rural law enforcement to address drug court backlogs; $5,000,000 for education and prevention programs to connect law enforcement agencies with K–12 students; and $10,000,000 for embedding social services with law enforcement to respond to opioid overdoses where children are impacted.

The agreement does not adopt House report language on extreme risk protection orders.

Emergency Federal Law Enforcement Assistance.—In addition to the funding provided in the agreement, as of the end of fiscal year 2018 the Emergency Federal Law Enforcement Assistance Program had unobligated balances of $11,800,000. These funds remain available to address exigent law enforcement needs in fiscal year 2019.

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MULTI-HHS-18-0600-A and 18-604-A-001751

INSERT 26A

RESEARCH, EVALUATION AND STATISTICS
(in thousands of dollars)

Program	Amount
Bureau of Justice Statistics	$43,000
NCS-X Implementation Program	(5,000)
National Institute of Justice	37,000
Domestic Radicalization Research	(4,000)
Research on School Safety	(1,000)
Juvenile Online Victimization Survey	(1,000)
National Center for Restorative Justice	(3,000)
TOTAL, Research, Evaluation and Statistics	$80,000

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INSERT 26B

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(in thousands of dollars)

Program	Amount
Byrne Memorial Justice Assistance Grants	$423,500
Officer Robert Wilson III VALOR Initiative	(12,000)
Smart Policing	(7,500)
Smart Prosecution	(8,000)
Juvenile Indigent Defense	(2,000)
NamUS	(2,400)
Academic Based Training Program to improve Police-Based Responses to People with Mental Illness	(2,500)
Project Safe Neighborhoods	(20,000)
John R. Justice Grant Program	(2,000)
Capital Litigation and Wrongful Conviction Review	(5,000)
Prison Rape Prevention and Prosecution	(15,500)
Emergency Federal Law Enforcement Assistance	(2,000)
Managed access systems	(2,000)
Kevin and Avonte's Law	(2,000)
Regional Law Enforcement Technology Initiative	(3,000)
Community Based Violence Prevention	(8,000)
State Criminal Alien Assistance Program	243,500
Victims of Trafficking Grants	85,000
Economic, High-tech, White Collar and Cybercrime Prevention	14,000
Intellectual Property Enforcement Program	(2,500)
Digital Investigation Education Program	(2,000)
Adam Walsh Act Implementation	20,000
Bulletproof Vests Partnerships	25,000
Transfer to NIST/OLES	(1,500)
National Sex Offender Public Website	1,000
National Instant Criminal Background Check System (NICS) Initiative	75,000
NICS Act Record Improvement Program	(25,000)
Paul Coverdell Forensic Science	30,000
DNA Initiative	130,000
Debbie Smith DNA Backlog Grants	(120,000)
Kirk Bloodsworth Post-Conviction DNA Testing Grants	(6,000)
Sexual Assault Forensic Exam Program Grants	(4,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	48,000
CASA—Special Advocates	12,000
Tribal Assistance	37,500
Second Chance Act/Offender Reentry	87,500
Smart Probation	(6,000)
Children of Incarcerated Parents Demo Grants	(5,000)
Pay for Success	(7,500)
Pay for Success (Permanent Supportive Housing Model)	(5,000)
Project HOPE Opportunity Probation with Enforcement	(4,000)
STOP School Violence Act	75,000
Community trust initiative	66,500
Body Worn Camera Partnership Program	(22,500)
Justice Reinvestment Initiative	(27,000)
Byrne Criminal Justice Innovation Program	(17,000)
Opioid initiative	347,000
Drug Courts	(77,000)
Veterans Treatment Courts	(22,000)
Residential Substance Abuse Treatment	(30,000)
Prescription Drug Monitoring	(30,000)
Mentally Ill Offender Act	(31,000)
Comprehensive Opioid Abuse Program (COAP)	(157,000)
Keep Young Athletes Safe Act of 2018	2,500
TOTAL, State and Local Law Enforcement Assistance	$1,723,000

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JUVENILE JUSTICE PROGRAMS

The agreement includes $287,000,000 for Juvenile Justice programs. These funds are distributed as follows:

INSERT 27A

Missing and Exploited Children Programs.—The Department is directed that the increased amount provided above the fiscal year 2018 level shall be divided proportionally among Missing and Exploited Children Programs excluding research and technical assistance activities.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $128,800,000 for the Public Safety Officer Benefits program for fiscal year 2019. Within the funds provided, $104,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. In addition, $24,800,000 is provided for disability benefits for public safety officers permanently and totally disabled as a result of a catastrophic injury and for education benefits for the spouses and children of officers killed in the line of duty or permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $303,500,000 for Community Oriented Policing Services (COPS) programs, as follows:

INSERT 27B

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

The agreement includes the following general provisions for the Department of Justice:

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INSERT 27A

JUVENILE JUSTICE PROGRAMS

(in thousands of dollars)

Program	Amount
Part B—State Formula Grants	$60,000
Emergency Planning—Juvenile Detention Facilities	(500)
Youth Mentoring Grants	95,000
Title V—Delinquency Prevention Incentive Grants	24,500
Tribal Youth	(5,000)
Children of Incarcerated Parents Web Portal	(500)
Girls in the Justice System	(2,000)
Opioid Affected Youth Initiative	(9,000)
Children Exposed to Violence	(8,000)
Victims of Child Abuse Programs	22,500
Missing and Exploited Children Programs	82,000
Training for Judicial Personnel	3,000
TOTAL, Juvenile Justice	$287,000

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INSERT 27B

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS
(in thousands of dollars)

Program	Amount
COPS Hiring Grants	$228,500
Tribal Resources Grant Program	(27,000)
Tribal Access Program	(3,000)
Community Policing Development/Training and Technical Assistance	(6,500)
Regional Information Sharing Activities	(37,000)
Law Enforcement Mental Health and Wellness Act	(2,000)
Police Act	10,000
Anti-Methamphetamine Task Forces	8,000
Anti-Heroin Task Forces	32,000
STOP School Violence Act	25,000
TOTAL, Community Oriented Policing Services	$303,500

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Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of rape or incest, or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes that the Director of the Bureau of Prisons (BOP) is obliged to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes requirements and procedures for transfer proposals.

Section 206 prohibits the use of funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the BOP as appropriately secure.

Section 207 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual or electronic media or equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious, or educational purposes.

Section 208 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 209 requires the Department to follow reprogramming procedures prior to any deviation from the program amounts specified in this title or the reuse of specified deobligated funds provided in previous years.

Section 210 prohibits the use of funds for A–76 competitions for work performed by employees of BOP or Federal Prison Industries, Inc.

Section 211 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 212 permits up to 3 percent of grant and reimbursement program funds made available to the Office of Justice Programs to be used for training and technical assistance, and

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permits up to 2.5 percent of grant funds made available to that office to be used for criminal justice research, evaluation and statistics by the National Institute of Justice and the Bureau of Justice Statistics.

Section 213 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, Tribal, and local reentry courts; and drug treatment programs.

Section 214 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 215 prohibits funds, other than funds for the national instant criminal background check system established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm.

Section 216 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

Section 217 allows certain funding to be made available for use in Performance Partnership Pilots.

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TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The agreement includes $5,544,000 for the Office of Science and Technology Policy (OSTP).

Emerging Contaminants.—OSTP submitted the "Plan for Addressing Critical Research Gaps Related to Emerging Contaminants in Drinking Water" in October 2018. Within 90 days of the enactment of this agreement, OSTP shall update the implementation plan included in that report, including identifying budgetary resources required, by agency, for fiscal years 2019, 2020, and 2021.

NATIONAL SPACE COUNCIL

The agreement includes $1,965,000 for the activities of the National Space Council.

Execution of Space Programs.—Under Executive Order 13803, the National Space Council (the Council) is directed to, among other duties, "develop recommendations for the President on space policy and space-related issues" and "foster close coordination, cooperation, and technology and information exchange among the civil, national security, and commercial space sectors." In executing these duties, the Council is reminded that, in recent years, poor workmanship, poor oversight, and poor performance (e.g., flawed welding techniques, component tube contamination, incorrect cleaning methods, using the wrong voltage in testing, unreliable launch vehicle bolt cutter assembly, mishandling of rocket stages during transport, and substandard strut components) have led to costly delays and even loss of mission. Overly ambitious technology development, optimistic scheduling, and poor cost estimation have become common. No type of contract vehicle seems immune, whether traditional cost-plus contracts or firm, fixed-price contracts are used. These are inherent, systemic problems that cannot continue. National security, technology development, scientific discoveries, and improved weather forecasting are too important to the future of the Nation and require the Council to address these issues.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The agreement includes $21,500,000,000 for the National Aeronautics and Space Administration (NASA). The agreement includes substantial new resources for activities related to Moon exploration and retains language regarding submission of a detailed report prior to obligating certain funds. As noted elsewhere in this statement, the lack of progress across science and exploration programs despite continued significant and sustained investments in these programs is dismaying. Reports by the NASA Inspector General (IG), the Government Accountability Office (GAO), and independent experts point to a number of deficiencies that NASA and its private sector partners must address. During fiscal year 2019, NASA is expected to show marked success in addressing the myriad deficiencies identified by oversight bodies.

INSERT 31A

SCIENCE

The agreement includes $6,905,700,000 for Science.

Earth Science.—The agreement includes $1,931,000,000 for Earth Science and adopts all funding levels designated by the House and the Senate.

Planetary Science.—The agreement includes $2,758,500,000 for Planetary Science. The agreement adopts House language regarding the Europa Clipper and Lander missions modified to reflect launch dates of 2023 for the Clipper and 2025 for the Lander. The agreement includes $97,000,000 for the Double Asteroid Redirection Test and no less than the fiscal year 2018 level for NEOcam. The agreement includes up to $218,000,000 for the Lunar Discovery and Exploration program, including $21,000,000 for the Lunar Reconnaissance Orbiter. The agreement adopts Senate language regarding the helicopter technology demonstration planned for Mars 2020.

Astrophysics.—The agreement includes $1,191,600,000 for Astrophysics, including $98,300,000 for Hubble Space Telescope operations and $45,000,000 for Education and Public Outreach activities. The agreement does not adopt House language regarding certain work with private sector or philanthropic organizations.

Wide-Field Infrared Survey Telescope (WFIRST).—The agreement includes no less than $312,200,000 for WFIRST. The agreement emphasizes and reiterates House and Senate

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INSERT 31A

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(in thousands of dollars)

Program	Amount
Science:	
Earth Science	$1,931,000
Planetary Science	2,758,500
Astrophysics	1,191,600
James Webb Space Telescope	304,600
Heliophysics	720,000
Total, Science	6,905,700
Aeronautics	725,000
Space Technology	926,900
Exploration:	
Orion Multi-purpose Crew Vehicle	1,350,000
Space Launch System (SLS) Vehicle Development	2,150,000
Exploration Ground Systems	592,800
Exploration R&D	958,000
Total, Exploration	5,050,800
Space Operations	4,639,100
STEM Engagement	110,000
Safety, Security and Mission Services	2,755,000
Construction and Environmental Compliance and Restoration	348,200
Office of Inspector General	39,300
Total, NASA	$21,500,000

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language regarding cost overruns, schedule delays, and adherence to the $3,200,000,000 cost cap. The agreement also includes $10,000,000 for starshade technology development and $10,000,000 for search for life technology development.

James Webb Space Telescope (JWST).—The agreement includes $304,600,000 for JWST. There is profound disappointment with both NASA and its contractors regarding mismanagement, complete lack of careful oversight, and overall poor basic workmanship on JWST, which has undergone two significant reviews because of failures on the part of NASA and its commercial sector partner. NASA and its commercial partners seem to believe that congressional funding for this project and other development efforts is an entitlement, unaffected by failures to stay on schedule or within budget. This attitude ignores the opportunity cost to other NASA activities that must be sacrificed or delayed. The agreement includes a general provision to adjust the cap for JWST to $8,802,700,000, an increase of $802,700,000 above the previous cap. NASA should strictly adhere to this cap or, under this agreement, JWST will have to find cost savings or cancel the mission. NASA and its contractors are expected to implement the recommendations of both the most recent independent review and the previous Casani report and to continue cooperation with JWST's standing review board. The agreement does not adopt the reorganization of JWST into Astrophysics, and the JWST Program Office shall continue the reporting structure adopted after the Casani report and reiterated by the recent Webb Independent Review Board.

Heliophysics.—The agreement includes $720,000,000 for Heliophysics, including $15,000,000 for a Space Weather Science Applications Project.

AERONAUTICS

The agreement includes $725,000,000 for Aeronautics, including no less than $35,000,000 for hypersonic research activities as directed by the House. The agreement modifies House language regarding air mobility and automation and directs that this report be submitted within 90 days of enactment of this agreement.

SPACE TECHNOLOGY

The agreement includes $926,900,000 for Space Technology. The agreement reiterates House and Senate language regarding the need to maintain an independent research and technology portfolio to support both science and human exploration programs. It is understood

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that NASA has further refined internal oversight responsibility for programs within this account and the Exploration account and directs NASA to make adjustments as necessary in the fiscal year 2019 spending plan. The agreement includes $180,000,000 for RESTORE-L; $20,000,000 for the Flight Opportunities Program; $35,000,000 for additive manufacturing; $48,100,000 for solar electric propulsion activities; $5,000,000 for NASA's regional economic development program; $5,000,000 for innovative use of nanomaterials; $2,000,000 to address challenges associated with high-speed crosslink and downlink communications for low Earth orbit small satellite constellations; and not less than $100,000,000 for the development of nuclear thermal propulsion, of which not less than $70,000,000 shall be for the design of a flight demonstration by 2024 for which a multi-year plan is required by both the House and the Senate within 180 days of enactment of this agreement.

EXPLORATION

The agreement includes $5,050,800,000 for Exploration. The recommendation includes $2,150,000,000 for the Space Launch System, including no less than $150,000,000 to ensure continued work developing the Exploration Upper Stage (EUS). The bill also provides $48,000,000 for launch capabilities and infrastructure associated with constructing a second mobile launch platform. There is strong support for the development of the EUS in order to ensure that NASA has sufficient heavy lift capabilities to support a regular cadence of heavy lift science and human exploration missions. NASA shall allocate sufficient funding to ensure that both the EUS and the second mobile launch platform will be ready for flight no later than 2024. The agreement provides not less than $145,000,000 for the Human Research Program; $176,200,000 for habitation, airlock for docking vehicles and other logistics activities as requested; adopts House and Senate direction regarding lunar lander-related language and provides up to $116,500,000 for Advanced Cislunar and Surface Capabilities; and $450,000,000 for the Lunar Orbital Platform.

SPACE OPERATIONS

The agreement provides $4,639,100,000 for Space Operations, and includes $40,000,000 for commercial low Earth orbit (LEO) development, as recommended by the Senate, for LEO port implementation analysis and other activities to enable future commercial activities at the International Space Station. The agreement maintains 21st Century Space Launch Complex

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language as directed by the Senate. The agreement includes up to $60,000,000 for test facilities as directed by the House. In lieu of House or Senate direction regarding launch vehicles for small payloads, the agreement encourages NASA to work as appropriate to increase opportunities for improved access to space.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ENGAGEMENT

The agreement includes $110,000,000 for Science, Technology, Engineering, and Mathematics Engagement, including $21,000,000 for the Established Program to Stimulate Competitive Research; $44,000,000 for Space Grant; $33,000,000 for the Minority University Research and Education Project; and no less than $5,000,000 for the Competitive Program for Science Museums, Planetariums, and NASA Visitor Centers within the STEM Education and Accountability Projects. The agreement reiterates House and Senate direction regarding administrative costs.

SAFETY, SECURITY AND MISSION SERVICES

The agreement includes $2,755,000,000 for Safety, Security and Mission Services. The agreement modifies House language regarding submission of reports from NASA pursuant to National Academy of Public Administration, GAO, and NASA IG reviews of NASA security compliance protocols and foreign national access management and directs that these reports be provided annually. The agreement adopts House language in this account and Senate language from the Science account regarding cloud computing services and directs that this report be submitted within 90 days of enactment of this agreement.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

The agreement includes $348,200,000 for Construction and Environmental Compliance and Restoration. NASA is expected to continue to work with communities to resolve water contamination issues. The agreement adopts Senate report language regarding access to Kennedy Space Center and clarifies that in-kind contributions be directly related to bridge repairs.

OFFICE OF INSPECTOR GENERAL

The agreement includes $39,300,000 for the Office of Inspector General.

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ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

The agreement includes the following administrative provisions for NASA: a provision that makes funds for announced prizes available without fiscal year limitation until the prize is claimed or the offer is withdrawn; a provision that establishes terms and conditions for the transfer of funds; a provision that subjects the NASA spending plan and specified changes to that spending plan to the reprogramming procedures under section 505 of this agreement; a provision regarding remaining balances in the "Education" account; and a provision regarding the obligation of certain lunar program funds.

NATIONAL SCIENCE FOUNDATION

The agreement includes $8,075,000,000 for the National Science Foundation (NSF).

RESEARCH AND RELATED ACTIVITIES

The agreement includes $6,520,000,000 for Research and Related Activities (R&RA), including $175,689,000 for the Established Program to Stimulate Competitive Research. The agreement reiterates House and Senate language regarding support for existing NSF research infrastructure and clarifies that this language excludes funding allocated in fiscal year 2018 for one-time upgrades or refurbishments. The agreement includes no less than the fiscal year 2018 level for the Innovation Corps program.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The agreement includes $295,740,000 for Major Research Equipment and Facilities Construction (MREFC), including $127,090,000 for continuing construction of three Regional Class Research Vessels; $16,130,000 for the Daniel K. Inouye Solar Telescope; $48,820,000 for the Large Synoptic Survey Telescope; and $103,700,000 for the Antarctic Infrastructure Modernization for Science (AIMS) project. It is noted that the request and the House bill provided funds for AIMS under the R&RA account. The agreement adopts the Senate approach to fund this activity under the MREFC account. The agreement also includes $1,000,000 for enhanced oversight of MREFC projects.

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EDUCATION AND HUMAN RESOURCES

The agreement includes $910,000,000 for Education and Human Resources, including no less than $66,000,000 for the Advanced Technological Education program; no less than $35,000,000 for the Historically Black Colleges and Universities Undergraduate Program; $46,000,000 for Louis Stokes Alliance for Minority Participation; $15,000,000 for the Tribal Colleges and Universities Program; and $64,500,000 for the Robert Noyce Teacher Scholarship Program.

Hispanic-Serving Institutions (HSIs).—The agreement provides $40,000,000 for the HSI program and adopts Senate language regarding capacity building at institutions of higher education that typically do not receive high levels of NSF funding.

AGENCY OPERATIONS AND AWARD MANAGEMENT

The agreement includes $329,540,000 for Agency Operations and Award Management.

OFFICE OF THE NATIONAL SCIENCE BOARD

The agreement includes $4,370,000 for the National Science Board.

OFFICE OF INSPECTOR GENERAL

The agreement includes $15,350,000 for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The agreement includes a provision that describes terms and conditions for the transfer of funds and a provision requiring notification at least 30 days in advance of the divestment of certain assets.

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TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The agreement includes $10,065,000 for the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The agreement includes $379,500,000 for the Equal Employment Opportunity Commission (EEOC). Up to $29,500,000 shall be for payments to State and local enforcement agencies to ensure that the EEOC provides adequate resources to its State and local partners.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The agreement includes $95,000,000 for the International Trade Commission.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The agreement includes $415,000,000 for the Legal Services Corporation.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The agreement includes $3,516,000 for the Marine Mammal Commission.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

The agreement includes a total of $68,000,000 for the Office of the U.S. Trade Representative (USTR).

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SALARIES AND EXPENSES

The agreement includes $53,000,000 for the salaries and expenses of USTR.

Section 301 Exclusion Process.—USTR has finalized tariffs on goods from China under Section 301 of the Trade Act of 1974 in three separate rounds, and provided an exclusion process that allows U.S. businesses to obtain relief from the Section 301 tariffs for goods subject to tariffs in rounds 1 and 2. It is concerning that there is no exclusion process for goods subject to tariffs in round 3 of the Section 301 proceedings, as was done in the first two rounds. USTR shall establish an exclusion process for tariffs imposed on goods subject to Section 301 tariffs in round 3. This process should be initiated no later than 30 days after the enactment of this Act, following the same procedures as those in rounds 1 and 2, allowing stakeholders to request that particular products classified within a tariff subheading subject to new round 3 tariffs be excluded from the Section 301 tariffs. USTR shall consult with the Committees on Appropriations, the House Committee on Ways and Means, and the Senate Committee on Finance regarding the nature and timing of the exclusion process. USTR shall also report to such committees no later than 30 days after enactment of this Act on the status of the exclusion process.

TRADE ENFORCEMENT TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

The agreement includes $15,000,000, which is to be derived from the Trade Enforcement Trust Fund, for trade enforcement activities and transfers authorized by the Trade Facilitation and Trade Enforcement Act of 2015.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The agreement includes $5,971,000 for the State Justice Institute. The additional funding above the enacted level shall be for addressing the opioid epidemic as described in the House and Senate reports.

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TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

The agreement includes the following general provisions:

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly provided.

Section 503 provides that the expenditure of any appropriation contained in this Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or existing Executive order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of this Act and the application of other provisions shall not be affected.

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employee; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

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Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced, or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting to Congress on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions in this Act, or, for the Department of Commerce, from actions taken for the care and protection of loan collateral or grant property, shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 510 stipulates the obligations of certain receipts deposited into the Crime Victims Fund.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs.

Section 512 prohibits the transfer of funds in this agreement to any department, agency, or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this agreement or any other appropriations Act.

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Section 513 requires certain timetables of audits performed by Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation and the Legal Services Corporation and sets limits and restrictions on the awarding and use of grants or contracts funded by amounts appropriated by this Act.

Section 514 prohibits funds for acquisition of certain information systems unless the acquiring department or agency has reviewed and assessed certain risks. Any acquisition of such an information system is contingent upon the development of a risk mitigation strategy and a determination that the acquisition is in the national interest. Each department or agency covered under section 514 shall submit a quarterly report to the Committees on Appropriations describing reviews and assessments of risk made pursuant to this section and any associated findings or determinations.

Section 515 prohibits the use of funds in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 516 prohibits the use of funds in this Act to require certain export licenses.

Section 517 prohibits the use of funds in this Act to deny certain import applications regarding "curios or relics" firearms, parts, or ammunition.

Section 518 prohibits the use of funds to include certain language in trade agreements.

Section 519 prohibits the use of funds in this Act to authorize or issue a National Security Letter (NSL) in contravention of certain laws authorizing the Federal Bureau of Investigation to issue NSLs.

Section 520 requires congressional notification for any project within the Departments of Commerce or Justice, the National Science Foundation, or the National Aeronautics and Space Administration totaling more than $75,000,000 that has cost increases of 10 percent or more.

Section 521 deems funds for intelligence or intelligence-related activities as authorized by the Congress until the enactment of the Intelligence Authorization Act for fiscal year 2019.

Section 522 prohibits contracts or grant awards in excess of $5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

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(RESCISSIONS)

Section 523 provides for rescissions of unobligated balances. Subsection (c) requires the Departments of Commerce and Justice to submit a report on the amount of each rescission. These reports shall include the distribution of such rescissions among decision units, or, in the case of rescissions from grant accounts, the distribution of such rescissions among specific grant programs, and whether such rescissions were taken from recoveries and deobligations, or from funds that were never obligated. Rescissions shall be applied to discretionary budget authority balances that were not appropriated with emergency or disaster relief designations.

Section 524 provides for rescission from defunct NASA accounts.

Section 525 prohibits the use of funds in this Act for the purchase of first class or premium air travel in contravention of the Code of Federal Regulations.

Section 526 prohibits the use of funds to pay for the attendance of more than 50 department or agency employees, who are stationed in the United States, at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 527 includes language regarding detainees held at Guantanamo Bay.

Section 528 includes language regarding facilities for housing detainees held at Guantanamo Bay.

Section 529 requires any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track and report on undisbursed balances in expired grant accounts.

Section 530 prohibits the use of funds by NASA, OSTP, or the National Space Council (NSC) to engage in bilateral activities with China or a Chinese-owned company or effectuate the hosting of official Chinese visitors at certain facilities unless the activities are authorized by subsequent legislation or NASA, OSTP, or NSC have made a certification pursuant to subsections (c) and (d) of this section.

Section 531 prohibits funds from being used to deny the importation of shotgun models if no application for the importation of such models, in the same configuration, had been denied

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prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

Section 532 prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement and victim assistance purposes.

Section 533 requires the departments and agencies funded in this Act to submit spending plans.

Section 534 prohibits the use of funds to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

Section 535 prohibits funds to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 536 prohibits the use of funds by the Department of Justice or the Drug Enforcement Administration in contravention of a certain section of the Agricultural Act of 2014.

Section 537 prohibits the Department of Justice from preventing certain States from implementing State laws regarding the use of medical marijuana.

Section 538 requires quarterly reports from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation of travel to China.

Section 539 requires 10 percent of the funds for certain programs be allocated for assistance in persistent poverty counties.

Section 540 limits formulation and development costs for the James Webb Space Telescope.

Section 541 prohibits funds to prepare for the shutdown of the Stratospheric Observatory for Infrared Astronomy.

Insert 43A - 43P

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COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	495,000	451,147	495,000	---	+43,853
Offsetting fee collections	-13,000	-11,000	-11,000	+2,000	---
Direct appropriation	482,000	440,147	484,000	+2,000	+43,853
Bureau of Industry and Security					
Operations and administration	75,500	81,647	79,050	+3,550	-2,597
Defense function	38,000	39,000	39,000	+1,000	---
Total, Bureau of Industry and Security	113,500	120,647	118,050	+4,550	-2,597
Economic Development Administration					
Economic Development Assistance Programs	262,500	---	265,000	+2,500	+265,000
Salaries and expenses	39,000	14,937	39,000	---	+24,063
Total, Economic Development Administration	301,500	14,937	304,000	+2,500	+289,063
Minority Business Development Agency					
Minority Business Development	39,000	10,000	40,000	+1,000	+30,000

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COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Economic and Statistical Analysis					
Salaries and expenses	99,000	100,987	101,000	+2,000	+13
Bureau of the Census					
Current Surveys and Programs	270,000	249,125	270,000	---	+20,875
Periodic censuses and programs	2,544,000	3,551,388	3,551,388	+1,007,388	---
Total, Bureau of the Census	2,814,000	3,800,513	3,821,388	+1,007,388	+20,875
National Telecommunications and Information Administration					
Salaries and expenses	39,500	33,646	39,500	---	+5,854
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding	3,500,000	3,370,000	3,370,000	-130,000	---
Offsetting fee collections	-3,500,000	-3,370,000	-3,370,000	+130,000	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services	724,500	573,429	724,500	---	+151,071
(transfer out)	(-9,000)	(-9,000)	(-9,000)	---	---

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COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Industrial Technology Services	155,000	15,094	155,000	---	+139,906
Manufacturing extension partnerships	(140,000)	---	(140,000)	---	(+140,000)
National Network for Manufacturing Innovation	(15,000)	---	(15,000)	---	(+15,000)
Construction of research facilities	319,000	40,549	106,000	-213,000	+65,451
Working Capital Fund (by transfer)	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology	1,198,500	629,072	985,500	-213,000	+356,428
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities	3,536,331	2,937,753	3,596,997	+60,666	+659,244
(by transfer)	(144,000)	(144,000)	(157,980)	(+13,980)	(+13,980)
Promote and Develop Fund (transfer out)	(-144,000)	(-144,000)	(-157,980)	(-13,980)	(-13,980)
Subtotal	3,536,331	2,937,753	3,596,997	+60,666	+659,244
Procurement, Acquisition and Construction	2,290,684	1,623,006	1,755,349	-535,335	+132,343
Pacific Coastal Salmon Recovery	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund	349	349	349	---	---
Fishery Disaster Assistance	20,000	---	15,000	-5,000	+15,000
Fisheries Finance Program Account	-3,000	-8,000	-8,000	-5,000	---
Total, National Oceanic and Atmospheric Administration	5,909,364	4,553,108	5,424,695	-484,669	+871,587

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COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Departmental Management					
Salaries and expenses	63,000	58,994	63,000	---	+4,006
Renovation and Modernization	45,130	2,796	---	-45,130	-2,796
Office of Inspector General	32,744	32,030	32,744	---	+714
Total, Departmental Management	140,874	93,820	95,744	-45,130	+1,924
Total, title I, Department of Commerce	11,137,238	9,796,877	11,413,877	+276,639	+1,617,000
(by transfer)	153,000	153,000	166,980	+13,980	+13,980
(transfer out)	-153,000	-153,000	-166,980	-13,980	-13,980
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	114,000	114,207	113,000	-1,000	-1,207
Justice Information Sharing Technology	35,000	31,713	32,000	-3,000	+287
Total, General Administration	149,000	145,920	145,000	-4,000	-920
Executive Office for Immigration Review	504,500	563,407	563,407	+58,907	---
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation	500,500	559,407	559,407	+58,907	---

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COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of Inspector General	97,250	95,866	101,000	+3,750	+5,134
United States Parole Commission					
Salaries and expenses	13,308	12,672	13,000	-308	+328
Legal Activities					
Salaries and expenses, general legal activities	897,500	891,836	904,000	+6,500	+12,164
Vaccine Injury Compensation Trust Fund	10,000	9,340	10,000	---	+660
Salaries and expenses, Antitrust Division	164,977	164,663	164,977	---	+314
Offsetting fee collections - current year	-126,000	-136,000	-136,000	-10,000	---
Direct appropriation	38,977	28,663	28,977	-10,000	+314
Salaries and expenses, United States Attorneys	2,136,750	2,105,182	2,212,000	+75,250	+106,818
United States Trustee System Fund	225,908	223,221	226,000	+92	+2,779
Offsetting fee collections	-135,000	-360,000	-360,000	-225,000	---
New fees (Sec. 3004, P.L. 115-72)	-96,000	---	---	+96,000	---
Direct appropriation	-5,092	-136,779	-134,000	-128,908	+2,779
Salaries and expenses, Foreign Claims Settlement Commission	2,409	2,409	2,409	---	---
Fees and expenses of witnesses	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service	15,500	---	15,500	---	+15,500



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COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Assets Forfeiture Fund	20,514	20,514	20,514	---	---
Total, Legal Activities	3,386,558	3,191,165	3,329,400	-57,158	+138,235
United States Marshals Service					
Salaries and expenses	1,311,492	1,270,371	1,358,000	+46,508	+87,629
Construction	53,400	14,971	15,000	-38,400	+29
Federal Prisoner Detention	1,536,000	1,536,000	1,552,397	+16,397	+16,397
Total, United States Marshals Service	2,900,892	2,821,342	2,925,397	+24,505	+104,055
National Security Division					
Salaries and expenses	101,031	101,369	101,369	+338	---
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement	542,850	521,563	560,000	+17,150	+38,437
Federal Bureau of Investigation					
Salaries and expenses	3,663,553	3,599,403	3,729,250	+65,697	+129,847
Counterintelligence and national security	5,366,649	5,272,677	5,462,887	+96,238	+190,210
Subtotal, Salaries and expenses	9,030,202	8,872,080	9,192,137	+161,935	+320,057

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COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Construction	370,000	51,895	385,000	+15,000	+333,105
Total, Federal Bureau of Investigation	9,400,202	8,923,975	9,577,137	+176,935	+653,162
Drug Enforcement Administration					
Salaries and expenses	2,609,900	2,608,162	2,687,703	+77,803	+79,541
Diversion control fund	-419,574	-420,703	-420,703	-1,129	---
Total, Drug Enforcement Administration	2,190,326	2,187,459	2,267,000	+76,674	+79,541
High Intensity Drug Trafficking Areas Program	---	254,000	---	---	-254,000
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses	1,293,776	1,316,678	1,316,678	+22,902	---
Federal Prison System					
Salaries and expenses	7,114,000	7,042,328	7,250,000	+136,000	+207,672
Buildings and facilities	161,571	99,000	264,000	+102,429	+165,000
Limitation on administrative expenses, Federal Prison Industries, Incorporated	2,700	2,700	2,700	---	---
Total, Federal Prison System	7,278,271	7,144,028	7,516,700	+238,429	+372,672

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AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs	---	---	---	---	---
(by transfer)	(492,000)	---	(497,500)	(+5,500)	(+497,500)
Crime Victims Fund (transfer out)	(-492,000)	---	(-497,500)	(-5,500)	(-497,500)
Office of Justice Programs:					
Research, evaluation and statistics	90,000	77,000	80,000	-10,000	+3,000
State and local law enforcement assistance	1,677,500	1,132,500	1,723,000	+45,500	+590,500
Juvenile justice programs	282,500	229,500	287,000	+4,500	+57,500
Public safety officer benefits:					
Death benefits	92,000	104,000	104,000	+12,000	---
Disability and education benefits	24,800	16,300	24,800	---	+8,500
Subtotal	116,800	120,300	128,800	+12,000	+8,500
Total, Office of Justice Programs	2,166,800	1,559,300	2,218,800	+52,000	+659,500

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AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Community Oriented Policing Services:					
COPS programs	275,500	---	303,500	+28,000	+303,500
Total, State and Local Law Enforcement Activities	2,442,300	1,559,300	2,522,300	+80,000	+963,000
Total, title II, Department of Justice	30,296,264	28,834,744	30,934,388	+638,124	+2,099,644
TITLE III - SCIENCE					
Office of Science and Technology Policy	5,544	5,544	5,544	---	---
National Space Council	1,965	1,965	1,965	---	---
National Aeronautics and Space Administration					
Science	6,221,500	5,895,000	6,905,700	+684,200	+1,010,700
Aeronautics	685,000	633,900	725,000	+40,000	+91,100
Space Technology	760,000	---	926,900	+166,900	+926,900
Exploration Research and Technology	---	1,002,700	---	---	-1,002,700
Exploration	4,790,000	---	5,050,800	+260,800	+5,050,800
Deep Space Exploration Systems	---	4,558,800	---	---	-4,558,800
Space Operations	4,751,500	---	4,639,100	-112,400	+4,639,100
LEO and Spaceflight Operations	---	4,624,600	---	---	-4,624,600
Education	100,000	---	---	-100,000	---
Science, Technology Engineering, and Mathematics Engagement	---	---	110,000	+110,000	+110,000

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AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Safety, Security and Mission Services	2,826,900	2,749,700	2,755,000	-71,900	+5,300
Construction and environmental compliance and restoration	562,240	388,200	348,200	-214,040	-40,000
Office of Inspector General	39,000	39,300	39,300	+300	---
Total, National Aeronautics and Space Administration	20,736,140	19,892,200	21,500,000	+763,860	+1,607,800
National Science Foundation					
Research and related activities	6,263,476	6,079,680	6,449,000	+185,524	+369,320
Defense function	71,000	71,000	71,000	---	---
Subtotal	6,334,476	6,150,680	6,520,000	+185,524	+369,320
Major Research Equipment and Facilities Construction	182,800	94,650	295,740	+112,940	+201,090
Education and Human Resources	902,000	873,370	910,000	+8,000	+36,630
Agency Operations and Award Management	328,510	333,630	329,540	+1,030	-4,090
Office of the National Science Board	4,370	4,320	4,370	---	+50
Office of Inspector General	15,200	15,350	15,350	+150	---
Total, National Science Foundation	7,767,356	7,472,000	8,075,000	+307,644	+603,000
Total, title III, Science	28,511,005	27,371,709	29,582,509	+1,071,504	+2,210,800



AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses	9,700	9,200	10,065	+365	+865
Equal Employment Opportunity Commission					
Salaries and expenses	379,500	363,807	379,500	---	+15,693
International Trade Commission					
Salaries and expenses	93,700	87,615	95,000	+1,300	+7,385
Legal Services Corporation					
Payment to the Legal Services Corporation	410,000	18,200	415,000	+5,000	+396,800
Marine Mammal Commission					
Salaries and expenses	3,431	2,449	3,516	+85	+1,067
Office of the U.S. Trade Representative					
Salaries and expenses	57,600	63,000	53,000	-4,600	-10,000
Trade Enforcement Trust Fund	15,000	---	15,000	---	+15,000

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AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
State Justice Institute					
Salaries and expenses	5,121	6,921	5,971	+850	-950
Total, title IV, Related Agencies	974,052	551,192	977,052	+3,000	+425,860
TITLE V - GENERAL PROVISIONS					
DOC National Institute of Standards and Technology, Technology Innovation Program (rescission)	---	-2,000	-2,000	-2,000	---
DOC National Oceanic and Atmospheric Administration, Operations, Research and Facilities (rescission)	---	---	---	---	---
DOC National Oceanic and Atmospheric Administration, Procurement Acquisition and Construction (rescission)	---	---	---	---	---
Economic Development Assistance Programs (rescission)	-10,000	---	-10,000	---	-10,000
Rescission of emergency funding	---	-40,000	---	---	+40,000
DOJ, Working Capital Fund (rescission)	-154,768	-69,768	-151,000	+3,768	-81,232
DOJ, Assets Forfeiture Fund (rescission, temporary)	---	---	---	---	---
DOJ, Assets Forfeiture Fund (rescission, permanent)	-304,000	---	-674,000	-370,000	-674,000
FBI, Salaries and Expenses:					
nondefense (rescission)	-51,642	-60,044	-50,439	+1,203	+9,605
defense (rescission)	-75,649	-87,956	-73,887	+1,762	+14,069
Federal Prisoner Detention (rescission)	---	-71,000	---	---	+71,000



AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
DOJ, Federal Prison System, Buildings and Facilities (rescission)	---	-50,000	---	---	+50,000
Violence against women prevention and prosecution programs (rescission)	-15,000	---	-10,000	+5,000	-10,000
Office of Justice programs (rescission)	-40,000	-85,000	-70,000	-30,000	+15,000
COPS (rescission)	-10,000	---	-16,500	-6,500	-16,500
Keeping Young Athletes Safe	2,500	---	---	-2,500	---
NASA closeouts (rescission)	---	-4,000	-3,000	-3,000	+1,000
Total, title V, General Provisions	-658,559	-469,768	-1,060,826	-402,267	-591,058
OTHER APPROPRIATIONS					
FURTHER ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2018 (P.L. 115-123)					
DEPARTMENT OF COMMERCE					
Economic Development Administration					
Economic Development Assistance Programs (emergency)	600,000	---	---	-600,000	---
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities (emergency)	120,904	---	---	-120,904	---

AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Procurement, Acquisition and Construction (emergency).	79,232	---	---	-79,232	---
Fisheries Disaster Assistance (emergency).....	200,000	---	---	-200,000	---
Total, National Oceanic and Atmospheric Administration.....	400,136	---	---	-400,136	---
Total, Department of Commerce.....	1,000,136	---	---	-1,000,136	---
DEPARTMENT OF JUSTICE					
United States Marshals Service					
Salaries and Expenses (emergency).....	2,500	---	---	-2,500	---
Federal Bureau of Investigation					
Salaries and Expenses (emergency).....	8,601	---	---	-8,601	---
Counterintelligence and national security (emergency).....	12,599	---	---	-12,599	---
Total, Federal Bureau of Investigation.....	21,200	---	---	-21,200	---
Drug Enforcement Administration					
Salaries and Expenses (emergency).....	11,500	---	---	-11,500	---

AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Prison System					
Salaries and Expenses (emergency)	16,000	---	---	-16,000	---
Buildings and Facilities (emergency)	34,000	---	---	-34,000	---
Total, Federal Prison System	50,000	---	---	-50,000	---
Total, Department of Justice	85,200	---	---	-85,200	---
SCIENCE					
National Aeronautics and Space Administration					
Construction and Environmental Compliance and Restoration (emergency)	81,300	---	---	-81,300	---
National Science Foundation					
Research and Related Activities (emergency)	16,300	---	---	-16,300	---
Total, Science	97,600	---	---	-97,600	---

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AMERICAN OVERSIGHT

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
RELATED AGENCIES					
Legal Services Corporation					
Payment to the Legal Services Corporation (emergency).	15,000	---	---	-15,000	---
Total, Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018	1,197,936	---	---	-1,197,936	---
Grand total	71,457,936	66,084,754	71,847,000	+389,064	+5,762,246
Appropriations	(70,921,059)	(66,554,522)	(72,907,826)	(+1,986,767)	(+6,353,304)
Rescissions	(-661,059)	(-429,768)	(-1,060,826)	(-399,767)	(-631,058)
Emergency appropriations	(1,197,936)	---	---	(-1,197,936)	---
Rescissions of emergency funding	---	(-40,000)	---	---	(+40,000)
(by transfer)	645,000	153,000	664,480	+19,480	+511,480
(transfer out)	-645,000	-153,000	-664,480	-19,480	-511,480

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AMERICAN OVERSIGHT

Xerox

DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

The joint explanatory statement accompanying this division is approved and indicates congressional intent. Unless otherwise noted, the language set forth in House Report 115-792 and Senate Report 115-281 carries the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in this joint explanatory statement. While some language is repeated for emphasis, it is not intended to negate the language referred to above unless expressly provided herein.

Reports.—Where the House or Senate has directed submission of a report, that report is to be submitted to the Committees on Appropriations of the House and Senate. Agencies funded by this Act that currently provide separate copies of periodic reports and correspondence to the chairs and ranking members of the House and Senate Appropriations Committees and Subcommittees on Financial Services and General Government are directed to use a single cover letter jointly addressed to the chairs and ranking members of the Committees and Subcommittees of both the House and the Senate. To the greatest extent feasible, agencies should include in the cover letter a reference or hyperlink to facilitate electronic access to the report and provide the documents by electronic mail delivery. These measures will help reduce costs, conserve paper, expedite agency processing, and ensure that consistent information is conveyed concurrently to the majority and minority committee offices of both chambers of Congress.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001790

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The agreement provides $214,576,000 for departmental offices salaries and expenses.

Puerto Rico.—Within 90 days of the date of enactment of this Act, the Department is directed to provide a report to the Committees on Appropriations of the House and Senate describing how the Department has used its authority to provide technical assistance to Puerto Rico in fiscal year 2018 and how it plans to use its authority for such purpose in fiscal year 2019.

Pyrrhotite Study.—The Comptroller General of the United States, in consultation with relevant regulators, is directed to conduct a study that examines the financial impact of the mineral pyrrhotite in concrete home foundations. The study shall provide recommendations on the regulatory and legislative actions needed to help mitigate the impact on banks, mortgage lenders, homeowners, and tax revenue.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

The agreement provides $159,000,000 for the Office of Terrorism and Financial Intelligence (TFI).

Opioids.—Beginning in 2013, the number of deaths involving synthetic opioids, dominated by fentanyl, rose precipitously. According to the Drug Enforcement Administration, most illicit fentanyl that reached the United States was produced in China. The agreement includes funds for TFI to investigate the illicit trade of synthetic opioids, particularly fentanyl, originating from China.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001791

CYBERSECURITY ENHANCEMENT ACCOUNT

The agreement provides $25,208,000 for the Cybersecurity Enhancement Account.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $4,000,000 for the Department-Wide Systems and Capital Investments Programs.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The agreement provides $37,044,000 for salaries and expenses of the Office of Inspector General.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The agreement provides $170,250,000 for salaries and expenses of the Treasury Inspector General for Tax Administration.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

The agreement provides $23,000,000 for salaries and expenses of the Office of the Special Inspector General for the Troubled Asset Relief Program.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001792

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

The agreement includes $117,800,000 for salaries and expenses for the Financial Crimes Enforcement Network (FinCEN).

Geographic Targeting Orders.—Not later than 180 days after the date of enactment of this Act, FinCEN and the appropriate divisions of the Department of the Treasury are directed to submit to the Committees on Appropriations of the House and Senate a report on any Geographic Targeting Orders issued since 2016, including (1) the type of data collected; (2) how FinCEN uses the data; (3) whether FinCEN needs more authority to combat money laundering through high-end real estate; and (4) how a record of beneficial ownership would improve and assist law enforcement efforts to investigate and prosecute criminal activity and prevent the use of shell companies to facilitate money laundering, tax evasion, terrorism financing, election fraud, and other illegal activity.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

The agreement provides $338,280,000 for salaries and expenses of the Bureau of the Fiscal Service.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

The agreement provides $119,600,000 for salaries and expenses of the Alcohol and Tobacco Tax and Trade Bureau.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001793

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The agreement specifies that not more than $30,000,000 in new liabilities and obligations may be incurred during fiscal year 2019 for circulating coinage and protective service capital investments of the U.S. Mint.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

The agreement provides $250,000,000 for the Community Development Financial Institutions (CDFI) Fund program. Within this amount, not less than $160,000,000 is for financial and technical assistance grants, of which up to $3,000,000 may be used to provide technical and financial assistance to CDFIs that fund projects to help individuals with disabilities; not less than $16,000,000 is for technical assistance and other purposes for Native American, Native Hawaiian, and Alaska Native communities; not less than $25,000,000 is for the Bank Enterprise Award program; not less than $22,000,000 is for the Healthy Food Financing Initiative; and up to $27,000,000 is for administrative expenses, of which $1,000,000 is for the development of information technology tools to better measure and assess CDFI investment performance, improve data quality, and enable more efficient allocation of CDFI Fund resources. The agreement limits the total loan principal for the Bond Guarantee program to $500,000,000.

Capacity Building.—The agreement provides funds to offer training to CDFIs and other organizations dedicated to serving distressed and underserved communities to increase their expertise and capacity to undertake community development finance activities. The CDFI Fund is directed to submit a report not later than the end of calendar year 2019 to the Committees on Appropriations of the House and Senate to include expenditures on capacity building initiatives, parameters of the CDFI Fund's capacity building initiatives, metrics used to track the outcomes of trainings, and measures to assess participating CDFIs and non-CDFIs increased impact on serving distressed and underserved communities.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001794

CDFI Program Integration for Individuals with Disabilities.—In lieu of the direction included in the House and Senate reports on individuals with disabilities, the CDFI Fund is directed to summarize the progress made toward developing a competitive application pool of CDFIs to compete for funds for individuals with disabilities. Additionally, the CDFI Fund is directed to submit a report every six months until all the funds are obligated with the first report due six months after enactment of this Act to the Committees on Appropriations of the House and Senate. The report should include the number of awards, amount of each award, types of programs, impact the funding has made on the number of CDFIs serving the disability community, and findings and recommendations to improve upon the implementation of these activities.

The agreement does not adopt Senate report language on tribal activities. The CDFI Fund is expected to ensure funding is not allocated to entities that support activities in contradiction of the Controlled Substances Act (21 U.S.C. 801 et seq.) and report to the Committees on any CDFI award recipient who uses Federal funds in contradiction of the Controlled Substances Act.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

The agreement provides $2,491,554,000 for Internal Revenue Service (IRS) Taxpayer Services. Within the overall amount, not less than $9,890,000 is for the Tax Counseling for the Elderly Program, not less than $12,000,000 is for low-income taxpayer clinic grants, and not less than $207,000,000 is provided for operating expenses of the IRS Taxpayer Advocate Service, of which not less than $5,500,000 is for identity theft casework.

In addition, within the overall amount provided, not less than $18,000,000 is available until September 30, 2020, for the Community Volunteer Income Tax Assistance matching grants program.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001795

ENFORCEMENT

The agreement provides $4,860,000,000 for Enforcement.

OPERATIONS SUPPORT

The agreement provides $3,724,000,000 for Operations Support.

BUSINESS SYSTEMS MODERNIZATION

The agreement provides $150,000,000 for Business Systems Modernization.

AMERICAN OVERSIGHT

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

The agreement includes the following provisions:

Section 101 provides transfer authority.

Section 102 requires the IRS to maintain an employee training program on topics such as taxpayers' rights.

Section 103 requires the IRS to safeguard taxpayer information and to protect taxpayers against identity theft.

Section 104 permits funding for 1-800 help line services for taxpayers and directs the Commissioner to make improving phone service a priority and to enhance response times.

Section 105 requires the IRS to issue notices to employers of any address change request and to give special consideration to offers in compromise for taxpayers who have been victims of payroll tax preparer fraud.

Section 106 prohibits the use of funds by the IRS to target United States citizens for exercising any right guaranteed under the First Amendment to the Constitution.

Section 107 prohibits the use of funds by the IRS to target groups for regulatory scrutiny based on their ideological beliefs.

Section 108 requires the IRS to comply with procedures and policies on conference spending in accordance with IRS policies issued as a result of Treasury Inspector General for Tax Administration recommendations.

Section 109 prohibits funds for giving bonuses to employees or hiring former employees without considering conduct and compliance with Federal tax law.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001797

Section 110 prohibits the IRS from using funds made available by this Act to contravene a provision of the Internal Revenue Code of 1986 related to the confidentiality and disclosure of returns and return information.

Section 111 prohibits funds for pre-populated returns.

Section 112 provides $77,000,000 to be used solely for carrying out Public Law 115-97. The IRS is directed to provide the Committees on Appropriations of the House and Senate no later than 30 days after the enactment of this Act a detailed spending plan by account and object class for the funds provided. Additionally, the IRS is directed to submit quarterly spending plans broken out by account, and include, at minimum, quarterly obligations and total obligations to date, actual and projected staffing levels, and updated timetables.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

Section 113 allows Treasury to use funds for certain specified expenses.

Section 114 allows for the transfer of up to 2 percent of funds among various Treasury bureaus and offices.

Section 115 allows for the transfer of up to 2 percent from the IRS accounts to the Treasury Inspector General for Tax Administration.

Section 116 prohibits funding to redesign the $1 note.

Section 117 allows for the transfer of funds from the Bureau of the Fiscal Service-Salaries and Expenses to the Debt Collection Fund conditional on future reimbursement.

Section 118 prohibits funds to build a United States Mint museum without the approval of the Committees on Appropriations of the House and Senate and the authorizing committees of jurisdiction.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001798

Section 119 prohibits funding for consolidating the functions of the United States Mint and the Bureau of Engraving and Printing without the approval of the Committees on Appropriations of the House and Senate and the authorizing committees of jurisdiction.

Section 120 specifies that funds for Treasury intelligence activities are deemed to be specifically authorized until enactment of the fiscal year 2019 Intelligence Authorization Act.

Section 121 permits the Bureau of Engraving and Printing to use up to $5,000 from the Industrial Revolving Fund for reception and representation expenses.

Section 122 requires the Secretary to submit a Capital Investment Plan.

Section 123 requires a Franchise Fund report.

Section 124 prohibits the Department from finalizing any regulation related to the standards used to determine the tax-exempt status of a 501(c)(4) organization.

Section 125 requires the Office of Financial Research and Office of Financial Stability to submit quarterly reports.

Section 126 provides for the reimbursement of certain expenses in fiscal year 2019.

Section 127 allows the Bureau of Engraving and Printing to utilize its revolving fund to construct a replacement currency production facility.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001799

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

The agreement provides $55,000,000 for the salaries and expenses of the White House.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

The agreement provides $13,081,000 for the Executive Residence at the White House.

WHITE HOUSE REPAIR AND RESTORATION

The agreement provides $750,000 for repair, alteration and improvement of the Executive Residence at the White House.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

The agreement provides $4,187,000 for salaries and expenses of the Council of Economic Advisers.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001800

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

The agreement provides $12,000,000 for salaries and expenses of the National Security Council and Homeland Security Council.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

The agreement provides $100,000,000 for salaries and expenses of the Office of Administration, of which not more than $12,800,000 is for information technology modernization.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The agreement provides $102,000,000 for the salaries and expenses of the Office of Management and Budget (OMB). In addition to the amount provided, $1,000,000 is provided to increase the base funding for the Office of Information and Regulatory Affairs (OIRA). The additional funds may not be used to backfill vacancies and are to be in addition to the fiscal year 2018 base level for OIRA.

Conferences.—OMB is directed to ensure agencies report on conferences in a manner consistent with the terms of section 738 of this Act.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001801

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

The agreement provides $18,400,000 for salaries and expenses of the Office of National Drug Control Policy.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

The agreement provides $280,000,000 for the High Intensity Drug Trafficking Areas (HIDTA) Program.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

The agreement provides $118,327,000 for other Federal drug control programs. The agreement allocates funds among specific programs as follows:

Drug-Free Communities Program	$100,000,000
(Training)	(2,000,000)
Drug court training and technical assistance	2,000,000
Anti-Doping activities	9,500,000
World Anti-Doping Agency (U.S. membership dues)	2,577,000
Discretionary Grants as authorized by P.L. 109-469, section 1105	1,250,000
Activities authorized by Section 103 of P.L. 114-198, section 103	3,000,000

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001802

UNANTICIPATED NEEDS

The agreement provides $1,000,000 for unanticipated needs of the President. Within 180 days of enactment of this Act, the Office of Administration is directed to report to the House and Senate Committees on Appropriations on the use of funds appropriated under this heading.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $28,500,000 for information technology oversight and reform activities.

OMB is expected to utilize the funding provided to continue oversight of Federal IT activities and investments, including the management of the IT Dashboard, the OMB Policy Library, and IT policy compliance tracking.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

The agreement provides $4,288,000 for salaries and expenses to enable the Vice President to provide special assistance to the President.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $302,000 for operating expenses for the official residence of the Vice President.

AMERICAN OVERSIGHT

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ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

Section 201 provides transfer authority among various Executive Office of the President accounts.

Section 202 requires the Director of the OMB to include a statement of budgetary impact with any Executive Order issued or revoked during fiscal year 2019 and for Presidential memoranda estimated to have a regulatory cost in excess of $100,000,000.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001804

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The agreement provides $84,703,000 for salaries and expenses of the Supreme Court. In addition, the agreement provides mandatory costs as authorized by current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

The agreement provides $15,999,000 for the care of the Supreme Court building and grounds.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The agreement provides $32,016,000 for salaries and expenses of the United States Court of Appeals for the Federal Circuit. In addition, the agreement provides mandatory costs as authorized by current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The agreement provides $18,882,000 for salaries and expenses of the United States Court of International Trade. In addition, the agreement provides mandatory costs as authorized by current law for the salaries of the chief judge and judges of the court.

AMERICAN OVERSIGHT

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The agreement provides $5,144,383,000 for salaries and expenses of the Courts of Appeals, District Courts, and Other Judicial Services. In addition, the agreement provides mandatory costs as authorized by current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service. The agreement also provides $8,475,000 from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

The agreement provides $1,150,450,000 for Defender Services. The agreement includes a $6 increase to the hourly non-capital panel attorney rate above the COLA-adjusted level.

FEES OF JURORS AND COMMISSIONERS

The agreement provides $49,750,000 for Fees of Jurors and Commissioners.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $607,110,000 for Court Security.

AMERICAN OVERSIGHT

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ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The agreement provides $92,413,000 for salaries and expenses of the Administrative Office of the United States Courts.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The agreement provides $29,819,000 for salaries and expenses of the Federal Judicial Center.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The agreement provides $18,953,000 for salaries and expenses of the United States Sentencing Commission.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

The agreement includes the following administrative provisions:

Section 301 makes funds appropriated for salaries and expenses available for services authorized by 5 U.S.C. 3109.

Section 302 provides transfer authority among Judiciary appropriations.

Section 303 permits not more than $11,000 to be used for official reception and representation expenses of the Judicial Conference.

AMERICAN OVERSIGHT

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Section 304 extends through fiscal year 2019 the delegation of authority to the Judiciary for contracts for repairs of less than $100,000.

Section 305 continues a pilot program where the United States Marshals Service provides perimeter security services at selected courthouses.

Section 306 extends temporary judgeships in the eastern district of Missouri, Kansas, Arizona, the central district of California, the northern district of Alabama, the southern district of Florida, New Mexico, the western district of North Carolina, the eastern district of Texas, and Hawaii.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001808

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

Individual Mandate.—As a part of the Health Insurance Requirement Act of 2018 (subtitle A of title V of the Fiscal Year 2019 Budget Support Act of 2018; D.C. Law 22-753), the District of Columbia moves forward with the requirement for District of Columbia residents to purchase medical insurance. The local Act sets forth penalties for not complying with the individual mandate, including property seizure to satisfy fines. The District of Columbia Chief Financial Officer is directed to notify annually the House and Senate Committees on Appropriations on the number of instances where the local government seized property to satisfy a penalty as a result of non-compliance with the individual mandate and the type of property seized. The District must not include personally identifiable information in the report.

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The agreement provides $40,000,000 for District of Columbia resident tuition support.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

The agreement provides $12,000,000 for emergency planning and security costs in the District of Columbia to remain available until expended.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001809

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

The agreement provides $258,394,000 for the District of Columbia courts, of which $14,594,000 is for the D.C. Court of Appeals, $124,400,000 is for the Superior Court, $74,400,000 is for the D.C. Court System, and $45,000,000 is for capital improvements to courthouse facilities. The agreement provides sufficient funds to complete the Moultrie Courthouse addition.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $46,005,000 for defender services in the District of Columbia.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

The agreement provides $256,724,000 for court services and offender supervision in the District of Columbia.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

The agreement provides $45,858,000 for public defender services in the District of Columbia.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

The agreement provides $2,150,000 for the Criminal Justice Coordinating Council.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001810

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

The agreement provides $565,000 for Judicial Commissions. Within the amount provided, $295,000 is for the Commission on Judicial Disabilities and Tenure and $270,000 is for the Judicial Nomination Commission.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

The agreement provides $52,500,000 for school improvement in the District of Columbia to be distributed in accordance with the provisions of the Scholarships for Opportunity and Results Act (SOAR Act). The funds are to be allocated evenly between District of Columbia public schools, charter schools, and opportunity scholarships as authorized by law. Of the funds allocated for the SOAR Act, $1,200,000 is for administrative expenses and $500,000 is for evaluation costs.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

The agreement provides $435,000 for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

The agreement provides $3,000,000 for the purpose of HIV/AIDS testing and treatment.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001811

DISTRICT OF COLUMBIA FUNDS

The agreement provides authority for the District of Columbia to spend its local funds in accordance with the Fiscal Year 2019 Budget Request Act of 2018.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

The agreement provides $8,000,000 for the District of Columbia Water and Sewer Authority.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001812

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

The agreement provides $3,100,000, to remain available until September 30, 2020, for the Administrative Conference of the United States.

COMMODITY FUTURES TRADING COMMISSION

The agreement provides $268,000,000 for the Commodity Futures Trading Commission. Within the amount provided, $50,000,000 is available until September 30, 2020, for the purchase of information technology.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

The agreement includes $127,000,000 for the Consumer Product Safety Commission. Within the amount provided, $800,000 is available until expended, for the pool and spa safety grants program established by the Virginia Graeme Baker Pool and Spa Safety Act.

ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY COMMISSION

Section 501 prohibits the use of Federal funds in fiscal year 2019 for the adoption or implementation of the proposed rule on Recreational Off-Highway Vehicles (ROVs) until a study by the National Academy of Sciences is completed.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001813

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $9,200,000 for salaries and expenses of the Election Assistance Commission. This includes $1,250,000 to be transferred to the National Institute of Standards and Technology.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The agreement provides $339,000,000 for salaries and expenses of the Federal Communications Commission (FCC). The agreement provides that $339,000,000 be derived from offsetting collections, resulting in no net appropriation.

Oversight Monitoring and Rating System.—In lieu of Senate report language on oversight monitoring and rating system, the FCC is directed to report to the Committees on Appropriations of the House and Senate within 90 days of enactment of this Act on the extent to which the rating system matches the video content that is being shown and the ability of the TV Parental Guidelines Oversight Monitoring Board to address public concerns.

Transmissions of Local Television Programming.—In lieu of House report language, the conferees note that the bipartisan Satellite Television Extension and Localism Reauthorization (STELAR) Act of 2014 was enacted to promote consumers' access to television broadcast station signals that originate in their state of residence, with an emphasis on localism and the cultural and economic importance of local programming. Congress's intent was to ensure Americans have access to local broadcast and media content. The conferees note that many broadcast stations do not neatly conform to Nielsen-measured designated market area boundaries, preventing many satellite television viewers from accessing local news, politics, sports, and emergency programming. The conferees note that despite the reforms made in STELAR, many communities continue to struggle with market modification petitions. The FCC should provide a

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full analysis to ensure decisions on market modification are comprehensively reviewed and STELAR's intent to promote localism is retained. The FCC is directed to adhere to statutory requirements and congressional intent when taking administrative action under STELAR.

ADMINISTRATIVE PROVISION—FEDERAL COMMUNICATIONS COMMISSION

Section 510 prohibits the FCC from changing rules governing the Universal Service Fund regarding single connection or primary line restrictions.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

The agreement provides a transfer of $42,982,000 to fund the Office of Inspector General (OIG) for the Federal Deposit Insurance Corporation. The OIG's appropriations are derived from the Deposit Insurance Fund and the Federal Savings and Loan Insurance Corporation Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The agreement provides $71,250,000 for salaries and expenses of the Federal Election Commission.

Online Campaign Advertisements.—In lieu of the House report language, the Commission is directed to brief the House and Senate Committees on Appropriations on its rulemaking proposals related to disclaimers on public communications on the internet within 90 days of enactment of this Act.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001815

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The agreement provides $26,200,000 for the Federal Labor Relations Authority.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The agreement provides $309,700,000 for salaries and expenses of the Federal Trade Commission (FTC). This appropriation is partially offset by premerger filing and Telemarketing Sales Rule fees estimated at $136,000,000 and $17,000,000, respectively.

Contact Lenses.—In lieu of the Senate report language on the FTC's draft contact lens rule, the FTC is directed to keep the Committees informed on its progress in reviewing public comments and providing a recommendation on the rule by the beginning of 2019.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

The agreement provides resources from the General Services Administration (GSA) Federal Buildings Fund totaling $9,285,082,000.

Rental Rates.—GSA is directed to provide the Committees on Appropriations of the House and Senate a report describing GSA's methodology for calculating rental rates for Congressional offices located in Federal Courthouses within 90 days of the date of enactment of this Act.

AMERICAN OVERSIGHT
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Energy Efficiency. —The Administrator is directed to report, no later than 60 days after enactment of this Act, on the number and value of Energy Savings Performance Contracts entered into by GSA annually for 2014-2018 and their projections for 2019 and 2020.

FBI Headquarters.—Due to concerns about the FBI Headquarters Revised Nationally-Focused Consolidation Plan which was submitted to Congress by GSA on February 12, 2018, the Consolidated Appropriations Act, 2018 (Public Law 115–141) included no funding for this project. No funds were requested for the project for fiscal year 2019 and no funds are provided in this agreement.

There is reluctance to appropriate any additional funds for this project due to the unanswered questions regarding the new plan, including the revision of longstanding mission and security requirements. GSA is encouraged to work with the FBI to submit a prospectus for a new, fully-consolidated headquarters building, including at one of the three previously vetted sites, that complies with prior Congressional directives and actions and meets Interagency Security Committee Level V security standards.

Construction and Acquisition.—The agreement provides $958,900,000 for construction and acquisition.

CONSTRUCTION AND ACQUISITION

State	Description	Amount
DC	Washington, Department of Transportation Lease, Exercise of Purchase Option	$767,900,000
CA	Calexico, United States Land Port of Entry	$191,000,000

AMERICAN OVERSIGHT

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Repairs and Alterations.—The agreement provides $663,219,000 for repairs and alterations. Funds are provided in the amounts indicated:

Major Repairs and Alterations.....$276,837,000

Basic Repairs and Alterations.....$356,382,000

Fire and Life Safety Program.....$30,000,000

For Major Repairs and Alterations, GSA is directed to submit a spending plan, by project, as specified in Section 526 of this Act to the Committees on Appropriations of the House and Senate (Committees) and to provide notification to the Committees no less than 15 days prior to any changes in the use of these funds.

Rental of Space.—The agreement provides $5,418,845,000 for rental of space.

Building Operations.—The agreement provides $2,244,118,000 for building operations.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

The agreement provides $60,000,000 for GSA government-wide policy activities.

OPERATING EXPENSES

The agreement provides $49,440,000 for operating expenses.

AMERICAN OVERSIGHT

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CIVILIAN BOARD OF CONTRACT APPEALS

The agreement provides $9,301,000 for the Civilian Board of Contract Appeals.

OFFICE OF INSPECTOR GENERAL

The agreement provides $65,000,000 for the Office of Inspector General. The conferees note that no-year funds remain available for fiscal year 2019 needs, including funding to strengthen capabilities in data analysis and IT audits.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

The agreement provides $4,796,000 for allowances and office staff for former Presidents.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $55,000,000 for deposit into the Federal Citizen Services Fund (the Fund) and authorizes use of appropriations, revenues and collections in the Fund in an aggregate amount not to exceed $100,000,000.

TECHNOLOGY MODERNIZATION FUND

The agreement provides $25,000,000 for the Technology Modernization Fund.

AMERICAN OVERSIGHT

ASSET PROCEEDS AND SPACE MANAGEMENT FUND

The agreement provides $25,000,000 for the Asset Proceeds and Space Management Fund.

ENVIRONMENTAL REVIEW IMPROVEMENT FUND

The agreement provides $6,070,000 for the Environmental Review Improvement Fund.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Section 520 specifies that funds are available for hire of motor vehicles.

Section 521 authorizes transfers within the Federal Buildings Fund, with advance approval of the Committees on Appropriations of the House and Senate.

Section 522 requires transmittal of a fiscal year 2020 request for courthouse construction that meets design guide standards, reflects the priorities in the Judicial Conference's 5-year construction plan, and includes a standardized courtroom utilization study.

Section 523 specifies that funds in this Act may not be used to increase the amount of occupiable space or provide services such as cleaning or security for any agency that does not pay the rental charges assessed by GSA.

Section 524 permits GSA to pay certain construction-related claims against the Federal Government from savings achieved in other projects.

Section 525 requires that the delineated area of procurement for leased space match the approved prospectus, unless the Administrator provides an explanatory statement to the appropriate congressional committees.

Section 526 requires a spending plan for certain accounts and programs.

AMERICAN OVERSIGHT

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Section 527 requires the Administrator to submit a report on the implementation of Section 846 of the National Defense Authorization Act for fiscal year 2018.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

The agreement provides $1,000,000 for payment to the Harry S Truman Scholarship Foundation Trust Fund.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $46,835,000, to remain available until September 30, 2020, for the salaries and expenses of the Merit Systems Protection Board. Within the amount provided, $44,490,000 is a direct appropriation and $2,345,000 is a transfer from the Civil Service Retirement and Disability Fund to adjudicate retirement appeals.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $1,875,000 for payment to the Morris K. Udall and Stewart L. Udall Trust Fund, of which $200,000 is transferred to the Office of Inspector General of the Department of the Interior to conduct audits and investigations.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001821

ENVIRONMENTAL DISPUTE RESOLUTION FUND

The agreement provides $3,200,000 for payment to the Environmental Dispute Resolution Fund.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

The agreement provides $373,000,000 for the operating expenses of the National Archives and Records Administration.

OFFICE OF INSPECTOR GENERAL

The agreement provides $4,823,000 for the Office of Inspector General of the National Archives and Records Administration.

REPAIRS AND RESTORATION

The agreement provides $7,500,000 for repairs and restoration.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

The agreement provides $6,000,000 for the National Historical Publications and Records Commission grants program.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001822

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

The agreement provides $2,000,000 for the Community Development Revolving Loan Fund.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

The agreement provides $17,019,000 for salaries and expenses of the Office of Government Ethics.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The agreement provides $265,655,000 for salaries and expenses of the Office of Personnel Management (OPM). Within the amount provided, $132,172,000 is a direct appropriation and $133,483,000 is a transfer from OPM trust funds.

The agreement provides $14,000,000 for OPM to improve information technology (IT) security and infrastructure.

Relocation of Human Resources Solutions (HRS).—OPM is directed to submit a report to the Committees on Appropriations of the House and Senate (Committees) no later than 30 days after enactment of this Act that includes the budgetary implications of moving HRS to GSA and the legal authority under which it proposes to transfer the HRS function within the OPM Revolving Fund established by 5 U.S.C. 1304(e)(1) to GSA. Further, OPM is directed to provide quarterly updates to the Committees on the status of the HRS program relocation and any other OPM program and office relocations.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001823

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The agreement provides $30,265,000 for salaries and expenses of the Office of Inspector General. Within the amount provided, $5,000,000 is a direct appropriation and $25,265,000 is a transfer from OPM trust funds.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

The agreement includes $26,535,000 for salaries and expenses of the Office of Special Counsel.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $15,200,000 for the salaries and expenses of the Postal Regulatory Commission.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

The agreement provides $5,000,000 for salaries and expenses of the Privacy and Civil Liberties Oversight Board.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001824

PUBLIC BUILDINGS REFORM BOARD

SALARIES AND EXPENSES

The conferees support the Public Buildings Reform Board's efforts to reduce Federal real property costs by consolidating and selling underutilized and vacant Federal buildings and other civilian real property. The fiscal year 2018 budget request for the Board was $2,000,000, while the Consolidated Appropriations Act of 2018 provided $5,000,000. As a result, the Board has sufficient resources to meet expected obligations in fiscal year 2019. The President has announced his intent to appoint individuals to the Board, and the Committees on Appropriations of the House and Senate will continue to monitor steps being taken to stand up the Board to ensure sufficient resources are available to meet program needs.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The agreement provides $1,674,902,000 for the Securities and Exchange Commission (SEC). Of that amount, the agreement allocates $75,081,000 for the Division of Economic and Risk Analysis, and no less than $15,206,000 for the SEC Office of Inspector General. In addition, another $37,189,000 is provided for costs associated with relocating the New York regional office. All funds are derived from $1,712,091,000 in offsetting collections, resulting in no net appropriation.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

The agreement provides $26,000,000 for the salaries and expenses of the Selective Service System.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001825

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The agreement provides $267,500,000 for salaries and expenses of the Small Business Administration (SBA).

North American Industry Classification System (NAICS).—In lieu of the direction included in the House and Senate reports on the NAICS, SBA is directed to report to the Committees on Appropriations of the House and Senate on the impact and feasibility of using the preceding five years of receipts to determine the average for purposes of size determination, instead of the current three years.

Federal and State Technology Partnership Program.—The agreement provides $3,000,000 for the Federal and State Technology (FAST) Partnership Program in fiscal year 2019. The conferees support the FAST program's efforts to reach innovative, technology-driven small businesses and to leverage the Small Business Innovation Research and Small Business Technology Transfer program to stimulate economic development. Of the amount provided, $1,000,000 shall be for FAST awards to Small Business and Technology Development Centers fully accredited for technology designation as of December 31, 2018.

Office of Small and Disadvantaged Business Utilization's Compliance Efforts.—SBA is directed to work with Federal agencies to review each Office of Small and Disadvantaged Business Utilization's efforts to comply with the requirements under section 15(k) of the Small Business Act (15 U.S.C. 644(k)). SBA is directed, not later than 180 days after the date of enactment of this Act, to submit to the Committees on Appropriations of the House and Senate, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House, a report on Federal agency compliance with the requirements under such section 15(k) and a report detailing the status of issuance by the SBA of detailed guidance for the peer review process of the Small Business Procurement Advisory Council in order to facilitate a more in depth review of Federal agency compliance with the requirements under such section 15(k).

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001826

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

The agreement provides $247,700,000 for SBA Entrepreneurial Development Programs. The SBA shall not reduce these amounts and shall not merge any of the entrepreneurial development programs without the advance written approval from the Committees on Appropriations of the House and Senate.

Program	**($000)**
7(j) Technical Assistance Program (Contracting Assistance)	2,800
Entrepreneurship Education	3,500
Growth Accelerators	2,000
HUBZone Program	3,000
Microloan Technical Assistance	31,000
National Women's Business Council	1,500
Native American Outreach	2,000
PRIME Technical Assistance	5,000
Regional Innovation Clusters	5,000
SCORE	11,700
Small Business Development Centers (SBDC)	131,000
State Trade Expansion Program (STEP)	18,000
Veterans Outreach	12,700
Women's Business Centers (WBC)	18,500
Total, Entrepreneurial Development Programs	**247,700**

Veteran Entrepreneurs.—SBA is directed, not later than 180 days after the date of enactment of this Act, to conduct a study on whether the provision of matchmaking services that, using data collected through outside entities such as local chambers of commerce, link veteran entrepreneurs to business leads in given industry sectors or geographic regions would enhance the existing veterans entrepreneurship programs of the Administration.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001827

OFFICE OF INSPECTOR GENERAL

The agreement provides $21,900,000 for the Office of Inspector General of the Small Business Administration.

OFFICE OF ADVOCACY

The agreement provides $9,120,000 for the Office of Advocacy.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $159,150,000 for the Business Loans Program Account. Of the amount provided, $4,000,000 is for the cost of direct loans in the microloan program, and $155,150,000 is for administrative expenses to carry out the direct and guaranteed loan programs, which may be transferred to and merged with Salaries and Expenses. The agreement provides a $30,000,000,000 cap for SBA 7(a) loans and $7,500,000,000 for 504 refinance authority.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-001828

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The agreement provides $10,000,000 for the administrative costs of the Disaster Loans Program Account.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

Section 530 provides transfer authority and availability of funds.

Section 531 rescinds $50,000,000 in prior year unobligated balances from the Business Loans Program Account.

Section 532 repeals section 12085 of Public Law 110-246, Expedited Disaster Loan Program.

Section 533 establishes an SBA Information Technology System Modernization and Working Capital Fund (IT WCF) that would allow not more than 3 percent of SBA funding under the Salaries and Expenses and the Business Loans Program Accounts to be transferred to the IT WCF.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The agreement provides $55,235,000 for a payment to the Postal Service Fund.

AMERICAN OVERSIGHT

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $250,000,000 for the Office of Inspector General.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

The agreement provides $51,515,000 for salaries and expenses of the United States Tax Court.

AMERICAN OVERSIGHT

TITLE VI

GENERAL PROVISIONS—THIS ACT

Section 601 prohibits pay and other expenses of non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

Section 602 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly provided.

Section 603 limits expenditures for any consulting service through procurement contracts where such expenditures are a matter of public record and available for public inspection.

Section 604 prohibits funds in this Act from being transferred without express authority.

Section 605 prohibits the use of funds to engage in activities that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (46 Stat. 590).

Section 606 prohibits the use of funds unless the recipient agrees to comply with the Buy American Act.

Section 607 prohibits funding for any person or entity convicted of violating the Buy American Act.

Section 608 authorizes the reprogramming of funds and specifies the reprogramming procedures for agencies funded by this Act.

Section 609 ensures that 50 percent of unobligated balances may remain available for certain purposes.

Section 610 restricts the use of funds for the Executive Office of the President to request official background reports from the Federal Bureau of Investigation without the written consent of the individual who is the subject of the report.

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Section 611 ensures that the cost accounting standards shall not apply with respect to a contract under the Federal Employees Health Benefits Program.

Section 612 allows the use of certain funds relating to nonforeign area cost of living allowances.

Section 613 prohibits the expenditure of funds for abortions under the Federal Employees Health Benefits Program.

Section 614 provides an exemption from section 613 if the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 615 waives restrictions on the purchase of nondomestic articles, materials, and supplies in the case of acquisition by the Federal Government of information technology.

Section 616 is a provision on the acceptance by agencies or commissions funded by this Act, or by their officers or employees, of payment or reimbursement for travel, subsistence, or related expenses from any person or entity (or their representative) that engages in activities regulated by such agencies or commissions.

Section 617 permits the Securities and Exchange Commission and the Commodity Futures Trading Commission to fund a joint advisory committee to advise on emerging regulatory issues, notwithstanding section 708 of this Act.

Section 618 requires agencies covered by this Act with independent leasing authority to consult with the General Services Administration before seeking new office space or making alterations to existing office space.

Section 619 provides for several appropriated mandatory accounts, where authorizing language requires the payment of funds for Compensation of the President, the Judicial Retirement Funds (Judicial Officers' Retirement Fund, Judicial Survivors' Annuities Fund, and the United States Court of Federal Claims Judges' Retirement Fund), the Government Payment for Annuitants for Employee Health Benefits and Employee Life Insurance, and the Payment to

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the Civil Service Retirement and Disability Fund. In addition, language is included for certain retirement, healthcare and survivor benefits required by 3 U.S.C. 102 note.

Section 620 allows the Public Company Accounting Oversight Board to obligate funds collected in fiscal year 2019 from monetary penalties for the purpose of funding scholarships for accounting students, as authorized by the Sarbanes-Oxley Act of 2002 (Public Law 107–204).

Section 621 prohibits funds for the Federal Trade Commission to complete the draft report on food marketed to children unless certain requirements are met.

Section 622 addresses conflicts of interest by preventing contractor security clearance-related background investigators from undertaking final Federal reviews of their own work.

Section 623 provides authority for Chief Information Officers over information technology spending.

Section 624 prohibits funds from being used in contravention of the Federal Records Act.

Section 625 relates to electronic communications.

Section 626 relates to Universal Service Fund payments for wireless providers.

Section 627 relates to inspectors general.

Section 628 relates to pornography and computer networks.

Section 629 prohibits funds for the Securities and Exchange Commission (SEC) to finalize, issue, or implement any rule, regulation, or order requiring the disclosure of political contributions, contributions to tax-exempt organizations, or dues paid to trade associations in SEC filings.

Section 630 prohibits funds to pay for award or incentive fees for contractors with below satisfactory performance.

Section 631 relates to conference expenditures.

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Section 632 relates to Federal travel.

Section 633 provides $2,000,000 for the Inspectors General Council Fund for expenses related to www.oversight.gov.

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TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

Section 701 requires agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 702 sets specific limits on the cost of passenger vehicles purchased by the Federal Government with exceptions for police, heavy duty, electric hybrid, and clean fuels vehicles and with an exception for commercial vehicles that operate on emerging motor vehicle technology.

Section 703 allows funds made available to agencies for travel to also be used for quarters allowances and cost-of-living allowances.

Section 704 prohibits the Government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental United States.

Section 705 ensures that agencies will have authority to pay the General Services Administration for space renovation and other services.

Section 706 allows agencies to use receipts from the sale of materials for acquisition, waste reduction and prevention, environmental management programs, and other Federal employee programs.

Section 707 provides that funds for administrative expenses may be used to pay rent and other service costs in the District of Columbia.

Section 708 precludes interagency financing of groups absent prior statutory approval.

Section 709 prohibits the use of appropriated funds for enforcing regulations disapproved in accordance with the applicable law of the United States.

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Section 710 limits the amount that can be used for redecoration of offices under certain circumstances.

Section 711 permits interagency funding of national security and emergency preparedness telecommunications initiatives, which benefit multiple Federal departments, agencies, and entities.

Section 712 requires agencies to certify that a schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 713 prohibits the use of funds to prevent Federal employees from communicating with Congress or to take disciplinary or personnel actions against employees for such communication.

Section 714 prohibits Federal training not directly related to the performance of official duties.

Section 715 prohibits the use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending before Congress.

Section 716 prohibits the use of appropriated funds by an agency to provide home addresses of Federal employees to labor organizations, absent employee authorization or court order.

Section 717 prohibits the use of appropriated funds to provide nonpublic information such as mailing or telephone lists to any person or organization outside of the Government without approval of the Committees on Appropriations.

Section 718 prohibits the use of appropriated funds for publicity or propaganda purposes within the United States not authorized by Congress.

Section 719 directs agencies' employees to use official time in an honest effort to perform official duties.

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Section 720 authorizes the use of current fiscal year funds to finance an appropriate share of the Federal Accounting Standards Advisory Board administrative costs.

Section 721 authorizes the transfer of funds to the General Services Administration to finance an appropriate share of various Government-wide boards and councils under certain conditions.

Section 722 authorizes breastfeeding at any location in a Federal building or on Federal property.

Section 723 permits interagency funding of the National Science and Technology Council and requires an Office of Management and Budget report on the budget and resources of the Council.

Section 724 requires identification of the Federal agencies providing Federal funds and the amount provided for all proposals, solicitations, grant applications, forms, notifications, press releases, or other publications related to the distribution of funding to a State.

Section 725 prohibits the use of funds to monitor personal information relating to the use of Federal Internet sites.

Section 726 regards contraceptive coverage under the Federal Employees Health Benefits Plan.

Section 727 recognizes that the United States is committed to ensuring the health of the Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport activities.

Section 728 allows departments and agencies to use official travel funds to participate in the fractional aircraft ownership pilot programs.

Section 729 prohibits funds for implementation of OPM regulations limiting detailees to the legislative branch and placing certain limitations on the Coast Guard Congressional Fellowship program.

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Section 730 restricts the use of funds for Federal law enforcement training facilities with an exception for the Federal Law Enforcement Training Center.

Section 731 prohibits executive branch agencies from creating or funding prepackaged news stories that are broadcast or distributed in the United States unless specific notification conditions are met.

Section 732 prohibits funds used in contravention of the Privacy Act, section 552a of title 5, United States Code or section 522.224 of title 48 of the Code of Federal Regulations.

Section 733 prohibits funds in this or any other Act from being used for Federal contracts with inverted domestic corporations or other corporations using similar inverted structures, unless the contract preceded this Act or the Secretary grants a waiver in the interest of national security.

Section 734 requires agencies to remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's (OPM) average unit cost of processing a retirement claim for the preceding fiscal year to be available to the OPM for the cost of processing retirements of employees who separate under Voluntary Early Retirement Authority or who receive Voluntary Separation Incentive Payments.

Section 735 prohibits funds to require any entity submitting an offer for a Federal contract to disclose political contributions.

Section 736 prohibits funds for the painting of a portrait of an employee of the Federal Government including the President, the Vice President, a Member of Congress, the head of an executive branch agency, or the head of an office of the legislative branch.

Section 737 limits the pay increases of certain prevailing rate employees.

Section 738 requires reports to Inspectors General concerning expenditures for agency conferences.

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Section 739 prohibits the use of funds to increase, eliminate, or reduce a program or project unless such change is made pursuant to reprogramming or transfer provisions.

Section 740 prohibits the Office of Personnel Management or any other agency from using funds to implement regulations changing the competitive areas under reductions-in-force for Federal employees.

Section 741 prohibits the use of funds to begin or announce a study or a public-private competition regarding the conversion to contractor performance of any function performed by civilian Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

Section 742 ensures that contractors are not prevented from reporting waste, fraud, or abuse by signing confidentiality agreements that would prohibit such disclosure.

Section 743 prohibits the expenditure of funds for the implementation of agreements in certain nondisclosure policies unless certain provisions are included in the policies.

Section 744 prohibits funds to any corporation with certain unpaid Federal tax liabilities unless an agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Section 745 prohibits funds to any corporation that was convicted of a felony criminal violation within the preceding 24 months unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Section 746 relates to the Consumer Financial Protection Bureau (CFPB). Given the need for transparency and accountability in the Federal budgeting process, the CFPB is directed to provide an informal, nonpublic full briefing at least annually before the relevant Appropriations subcommittee on the CFPB's finances and expenditures.

Section 747 addresses possible technical scorekeeping differences for fiscal year 2019 between the Office of Management and Budget and the Congressional Budget Office.

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Section 748 provides adjustments in rates of basic pay for Federal employees, to be paid for by appropriations.

Section 749 limits pay increases for the Vice President and certain senior political appointees to 1.9 percent.

Section 750 declares the inapplicability of these general provisions to title IV and title VIII.

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TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

Section 801 allows the use of local funds for making refunds or paying judgments against the District of Columbia government.

Section 802 prohibits the use of Federal funds for publicity or propaganda designed to support or defeat legislation before Congress or any State legislature.

Section 803 establishes reprogramming procedures for Federal funds.

Section 804 prohibits the use of Federal funds for the salaries and expenses of a shadow U.S. Senator or U.S. Representative.

Section 805 places restrictions on the use of District of Columbia government vehicles.

Section 806 prohibits the use of Federal funds for a petition or civil action which seeks to require voting rights for the District of Columbia in Congress.

Section 807 prohibits the use of Federal funds in this Act to distribute, for the purpose of preventing the spread of blood borne pathogens, sterile needles or syringes in any location that has been determined by local public health officials or local law enforcement authorities to be inappropriate for such distribution.

Section 808 concerns a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 809 prohibits Federal funds to enact or carry out any law, rule, or regulation to legalize or reduce penalties associated with the possession, use or distribution of any schedule I substance under the Controlled Substances Act or any tetrahydrocannabinols derivative. In addition, section 809 prohibits Federal and local funds to enact any law, rule, or regulation to legalize or reduce penalties associated with the possession, use or distribution of any schedule I

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substance under the Controlled Substances Act or any tetrahydrocannabinols derivative for recreational purposes.

Section 810 prohibits the use of funds for abortion except in the cases of rape or incest or if necessary to save the life of the mother.

Section 811 requires the CFO to submit a revised operating budget no later than 30 calendar days after the enactment of this Act for agencies the CFO certifies as requiring a reallocation in order to address unanticipated program needs.

Section 812 requires the CFO to submit a revised operating budget for the District of Columbia Public Schools, no later than 30 calendar days after the enactment of this Act, which aligns schools budgets to actual enrollment.

Section 813 allows for transfers of local funds between operating funds and capital and enterprise funds.

Section 814 prohibits the obligation of Federal funds beyond the current fiscal year and transfers of funds unless expressly provided herein.

Section 815 provides that not to exceed 50 percent of unobligated balances from Federal appropriations for salaries and expenses may remain available for certain purposes. This provision will apply to the District of Columbia Courts, the Court Services and Offender Supervision Agency and the District of Columbia Public Defender Service.

Section 816 appropriates local funds during fiscal year 2020 if there is an absence of a continuing resolution or regular appropriation for the District of Columbia. Funds are provided under the same authorities and conditions and in the same manner and extent as provided for in fiscal year 2019.

Section 817 reduces the income threshold for the District of Columbia Tuition Assistance Grant Program to $500,000 for individuals who begin a course of study in or after school year 2019-2020. The income threshold is adjusted for inflation thereafter.

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Section 818 specifies that references to "this Act" in this title or title IV are treated as referring only to the provisions of this title and title IV.

This division may be cited as "Financial Services and General Government Appropriations Act, 2019."

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MULTI-HHS-18-0600-A and 18-604-A-001843

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE I - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and Expenses	201,751	201,751	214,576	+12,825	+12,825
Office of Terrorism and Financial Intelligence	141,778	159,000	159,000	+17,222	---
Cybersecurity Enhancement Account	24,000	25,208	25,208	+1,208	---
Department-wide Systems and Capital Investments Programs	4,426	4,000	4,000	-426	---
Office of Inspector General	37,044	36,000	37,044	---	+1,044
Treasury Inspector General for Tax Administration	169,634	161,113	170,250	+616	+9,137
Special Inspector General for TARP	34,000	17,500	23,000	-11,000	+5,500
Financial Crimes Enforcement Network	115,003	117,800	117,800	+2,797	---
Subtotal, Departmental Offices	727,636	722,372	750,878	+23,242	+28,506
Treasury Forfeiture Fund (rescission)	-702,000	---	---	+702,000	---
Total, Departmental Offices	25,636	722,372	750,878	+725,242	+28,506
Bureau of the Fiscal Service	338,280	330,837	338,280	---	+7,443
Alcohol and Tobacco Tax and Trade Bureau	111,439	114,427	119,600	+8,161	+5,173
Community Development Financial Institutions Fund Program Account	250,000	14,000	250,000	---	+236,000
Total, Department of the Treasury, non-IRS	725,355	1,181,636	1,458,758	+733,403	+277,122

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Internal Revenue Service					
Taxpayer Services	2,506,554	2,241,000	2,491,554	-15,000	+250,554
Enforcement	4,860,000	4,628,000	4,860,000	---	+232,000
Program Integrity	---	204,643	---	---	-204,843
Subtotal	4,880,000	4,832,643	4,860,000	---	+27,357
Operations Support	3,634,000	4,155,796	3,724,000	+90,000	-431,796
Program Integrity	---	156,928	---	---	-156,928
Subtotal	3,634,000	4,312,724	3,724,000	+90,000	-588,724
Business Systems Modernization	110,000	110,000	150,000	+40,000	+40,000
General provision (sec. 112)	320,000	---	77,000	-243,000	+77,000
Total, Internal Revenue Service	11,430,554	11,498,367	11,302,554	-128,000	-193,813
Total, title I, Department of the Treasury	12,155,909	12,678,003	12,761,312	+605,403	+83,309
Appropriations	(12,857,909)	(12,318,432)	(12,761,312)	(-96,597)	(+444,880)
Rescissions	(-702,000)	---	---	(+702,000)	---

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54 B

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and Expenses	55,000	55,000	55,000	---	---
Executive Residence at the White House:					
Operating Expenses	12,917	13,081	13,081	+164	---
White House Repair and Restoration	750	750	750	---	---
Subtotal	13,667	13,831	13,831	+164	---
Council of Economic Advisers	4,187	4,187	4,187	---	---
National Security Council and Homeland Security Council	11,800	13,500	12,000	+200	-1,500
Office of Administration	100,000	100,000	100,000	---	---
Total, The White House	184,654	186,518	185,018	+364	-1,500
Office of Management and Budget	101,000	103,000	103,000	+2,000	---

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of National Drug Control Policy					
Salaries and Expenses	18,400	17,400	18,400	---	+1,000
High Intensity Drug Trafficking Areas Program	280,000	---	280,000	---	+280,000
Other Federal Drug Control Programs	117,093	11,843	118,327	+1,234	+106,484
Total, Office of National Drug Control Policy	415,493	29,243	416,727	+1,234	+387,484
Unanticipated Needs	798	1,000	1,000	+202	---
Information Technology Oversight and Reform	19,000	25,000	28,500	+9,500	+3,500
Special Assistance to the President and Official Residence of the Vice President:					
Salaries and Expenses	4,288	4,288	4,288	---	---
Operating Expenses	302	302	302	---	---
Subtotal	4,590	4,590	4,590	---	---
Total, title II, Executive Office of the President and Funds Appropriated to the President	725,535	349,351	738,835	+13,300	+389,484

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54 D

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and Expenses:					
Salaries of Justices	3,000	3,000	3,000	---	---
Other salaries and expenses	82,028	84,359	84,703	+2,675	+344
Subtotal	85,028	87,359	87,703	+2,675	+344
Care of the Building and Grounds	16,153	15,999	15,999	-154	---
Total, Supreme Court of the United States	101,181	103,358	103,702	+2,521	+344
United States Court of Appeals for the Federal Circuit					
Salaries and Expenses:					
Salaries of judges	3,000	4,000	4,000	+1,000	---
Other salaries and expenses	31,291	31,274	32,016	+725	+742
Total, United States Court of Appeals for the Federal Circuit	34,291	35,274	36,016	+1,725	+742

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
United States Court of International Trade					
Salaries and Expenses:					
Salaries of judges	1,000	2,000	2,000	+1,000	---
Other salaries and expenses	18,889	19,070	18,882	-7	-188
Total, U.S. Court of International Trade	19,889	21,070	20,882	+993	-188
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and Expenses:					
Salaries of judges and bankruptcy judges	435,000	429,000	429,000	-6,000	---
Other salaries and expenses	5,099,061	5,132,543	5,144,383	+45,322	+11,840
Subtotal	5,534,061	5,561,543	5,573,383	+39,322	+11,840
Vaccine Injury Compensation Trust Fund	8,230	8,475	8,475	+245	---
Defender Services	1,078,713	1,141,489	1,150,450	+71,737	+8,961
Fees of Jurors and Commissioners	50,944	51,233	49,750	-1,194	-1,483
Court Security	586,999	602,309	607,110	+20,111	+4,801
Total, Courts of Appeals, District Courts, and Other Judicial Services	7,258,947	7,365,049	7,389,168	+130,221	+24,119

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Administrative Office of the United States Courts					
Salaries and Expenses	90,423	89,867	92,413	+1,990	+2,546
Federal Judicial Center					
Salaries and Expenses	29,265	29,064	29,819	+554	+755
United States Sentencing Commission					
Salaries and Expenses	18,699	18,548	18,953	+254	+405
Total, title III, the Judiciary	7,552,695	7,662,230	7,690,953	+138,258	+28,723
(Mandatory)	(442,000)	(438,000)	(438,000)	(-4,000)	---
(Discretionary)	(7,110,695)	(7,224,230)	(7,252,953)	(+142,258)	(+28,723)

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE IV - DISTRICT OF COLUMBIA					
Federal Payment for Resident Tuition Support	40,000	---	40,000	---	+40,000
Federal Payment for Emergency Planning and Security Costs in the District of Columbie	13,000	12,000	12,000	-1,000	---
Federal Payment to the District of Columbia Courts	265,400	244,939	258,394	-7,006	+13,455
Federal Payment for Defender Services in District of Columbie Courts	49,890	46,005	46,005	-3,885	---
Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia	244,298	256,724	256,724	+12,426	---
Federal Payment to the District of Columbia Public Defender Service	41,829	45,658	45,856	+4,029	---
Federal Payment to the Criminal Justice Coordinating Council	2,000	1,900	2,150	+150	+250
Federal Payment for Judicial Commissions	565	565	565	---	---
Federal Payment for School Improvement	45,000	45,000	52,500	+7,500	+7,500
Federal Payment for the D.C. National Guard	435	435	435	---	---
Federal Payment for Testing and Treatment of HIV/AIDS	5,000	5,000	3,000	-2,000	-2,000
Federal Payment to the District of Columbia Water and Sewer Authority	14,000	---	8,000	-6,000	+8,000
Total, title IV, District of Columbia	721,417	658,426	725,831	+4,214	+67,205

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54H

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE V - OTHER INDEPENDENT AGENCIES					
Administrative Conference of the United States	3,100	3,100	3,100	---	---
Commodity Futures Trading Commission /1	249,000	250,000	268,000	+19,000	+18,000
CFTC Fee Spending (legislative proposal) /1	---	31,500	---	---	-31,500
Consumer Product Safety Commission	126,000	123,450	127,000	+1,000	+3,550
Election Assistance Commission	10,100	9,200	9,200	-900	---
Election Reform Program	380,000	---	---	-380,000	---
Federal Communications Commission					
Salaries and Expenses	322,035	333,118	339,000	+16,965	+5,882
Offsetting fee collections	-322,035	-333,118	-339,000	-16,965	-5,882
Direct appropriation	---	---	---	---	---
General provision (sec. 511)	600,000	---	---	-600,000	---
Federal Deposit Insurance Corporation					
Office of Inspector General (by transfer)	(39,136)	(42,982)	(42,982)	(+3,646)	---
Deposit Insurance Fund (transfer)	(-39,136)	(-42,982)	(-42,982)	(-3,646)	---
Federal Election Commission	71,250	71,250	71,250	---	---
Federal Labor Relations Authority	26,200	26,200	26,200	---	---

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Trade Commission					
Salaries and Expenses	306,317	309,700	309,700	+3,383	---
Offsetting fee collections (mergers)	-126,000	-136,000	-136,000	-10,000	---
Offsetting fee collections (telephone)	-16,000	-17,000	-17,000	-1,000	---
Direct appropriation	164,317	156,700	156,700	-7,617	---
General Services Administration					
Federal Buildings Fund					
Limitations on Availability of Revenue:					
Construction and acquisition of facilities	692,069	1,336,387	958,900	+266,831	-379,487
Repairs and alterations	666,335	909,746	663,219	-3,116	-246,527
Rental of space	5,493,766	5,430,345	5,418,845	-74,923	-11,500
Building operations	2,221,766	2,253,195	2,244,118	+22,352	-9,077
Installment Acquisition Payments	---	200,000	---	---	-200,000
Subtotal, Limitations on Availability of Revenue	9,073,936	10,131,673	9,285,082	+211,144	-846,591
Rental income to fund	-9,950,519	-10,131,673	-10,131,673	-181,154	---
Total, Federal Buildings Fund	-876,581	---	-846,591	+29,990	-846,591
Government-wide Policy	53,499	65,835	60,000	+6,501	-5,835

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Operating Expenses	45,645	49,440	49,440	+3,795	---
Civilian Board of Contract Appeals	8,795	9,301	9,301	+506	---
Office of Inspector General	65,000	67,000	65,000	---	-2,000
Allowances and Office Staff for Former Presidents	4,754	4,796	4,796	+42	---
Federal Citizen Services Fund	50,000	58,400	55,000	+5,000	-3,400
Technology Modernization Fund	100,000	210,000	25,000	-75,000	-185,000
Asset Proceeds and Space Management Fund	5,000	31,000	25,000	+20,000	-6,000
Environmental Review Improvement Fund	1,000	6,070	6,070	+5,070	---
GSA - President's Management Council Workforce Fund	---	50,000	---	---	-50,000
Total, General Services Administration	-542,688	551,842	-548,984	-4,096	-1,098,826
Harry S Truman Scholarship Foundation	1,000	---	1,000	---	+1,000
Merit Systems Protection Board					
Salaries and Expenses	44,490	42,145	44,490	---	+2,345
Limitation on administrative expenses	2,345	2,345	2,345	---	---
Total, Merit Systems Protection Board	46,835	44,490	46,835	---	+2,345
Morris K. Udall and Stewart L. Udall Foundation					
Morris K. Udall and Stewart L. Udall Trust Fund	1,975	1,875	1,875	-100	---
Environmental Dispute Resolution Fund	3,366	3,200	3,200	-166	---
Total, Morris K. Udall and Stewart L Udall Foundation	5,341	5,075	5,075	-266	---

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Archives and Records Administration					
Operating Expenses	384,911	365,105	373,000	-11,911	+7,895
Reduction of debt	-25,050	-27,224	-27,224	-2,174	---
Subtotal	359,861	337,881	345,776	-14,085	+7,895
Office of Inspector General	4,801	4,241	4,823	+22	+582
Repairs and Restoration	7,500	7,500	7,500	---	---
National Historical Publications and Records Commission Grants Program	6,000	---	6,000	---	+6,000
Total, National Archives and Records Administration	378,162	349,622	364,099	-14,063	+14,477
NCUA Community Development Revolving Loan Fund	2,000	---	2,000	---	+2,000
Office of Government Ethics	16,439	16,294	17,019	+580	+725
Office of Personnel Management					
Salaries and Expenses	129,341	132,172	132,172	+2,831	---
Limitation on administrative expenses	131,414	133,483	133,483	+2,069	---
Subtotal, Salaries and Expenses	260,755	265,655	265,655	+4,900	---

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of Inspector General	5,000	5,000	5,000	---	---
Limitation on administrative expenses	25,000	25,265	25,265	+265	---
Subtotal, Office of Inspector General	30,000	30,265	30,265	+265	---
Total, Office of Personnel Management	290,755	295,920	295,920	+5,165	---
Office of Special Counsel	26,535	26,252	26,535	---	+283
Postal Regulatory Commission	15,200	15,100	15,200	---	+100
Privacy and Civil Liberties Oversight Board	8,000	5,000	5,000	-3,000	---
Public Buildings Reform Board	5,000	2,000	---	-5,000	-2,000
Securities and Exchange Commission					
Salaries and Expenses	1,652,000	1,658,302	1,674,902	+22,902	+16,600
SEC NYC Regional Office	---	40,750	37,189	+37,189	-3,561
Headquarters Lease	244,507	---	---	-244,507	---
Subtotal, Securities and Exchange Commission	1,896,507	1,699,052	1,712,091	-184,416	+13,039
SEC fees	-1,896,507	-1,699,052	-1,712,091	+184,416	-13,039
SEC Reserve Fund (rescission)	---	-25,000	---	---	+25,000
Selective Service System	22,900	26,400	26,000	+3,100	-400

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Small Business Administration					
Salaries and expenses	268,500	265,000	267,500	-1,000	+2,500
Entrepreneurial Development Programs	247,100	192,450	247,700	+600	+55,250
Office of Inspector General	19,900	21,900	21,900	+2,000	---
Office of Advocacy	9,120	9,120	9,120	---	---
Business Loans Program Account:					
Direct loans subsidy	3,438	4,000	4,000	+562	---
Guaranteed Loan Subsidy	---	-155,150	---	---	+155,150
Administrative expenses	152,782	155,150	155,150	+2,368	---
Total, Business loans program account	156,220	4,000	159,150	+2,930	+155,150
Disaster Loans Program Account:					
Administrative expenses	---	186,458	10,000	+10,000	-176,458
Subtotal, Small Business Administration	700,840	678,928	715,370	+14,530	+36,442
Administrative Provision					
Unobligated balances (rescission) (sec. 531)	-2,600	-50,000	-50,000	-47,400	---
Total, Small Business Administration	698,240	628,928	665,370	-32,870	+36,442

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
United States Postal Service					
Payment to the Postal Service Fund	58,118	55,235	55,235	-2,883	---
Office of Inspector General	245,000	234,650	250,000	+5,000	+15,350
Total, United States Postal Service	303,118	289,885	305,235	+2,117	+15,350
United States Tax Court	50,740	55,563	51,515	+775	-4,048
Total, title V, Independent Agencies	2,957,344	2,958,771	1,941,269	-1,018,075	-1,017,502
Appropriations	(2,959,944)	(3,033,771)	(1,991,269)	(-968,675)	(-1,042,502)
Rescissions	(-2,600)	(-75,000)	(-50,000)	(-47,400)	(+25,000)
(by transfer)	(39,136)	(42,982)	(42,982)	(+3,846)	---
TITLE VI - GENERAL PROVISIONS (BILL-WIDE)					
Mandatory appropriations (sec. 619)	21,800,000	21,818,000	21,818,000	+18,000	---
PCA Oversight Board scholarships (sec. 620)	1,000	---	1,000	---	+1,000
Oversight.gov Website Enhancements (sec. 633)	---	---	2,000	+2,000	+2,000
Total, title VI, General Provisions	21,801,000	21,818,000	21,821,000	+20,000	+3,000

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE VII - GENERAL PROVISIONS (GOVERNMENT-WIDE)					
Government-wide transfers (sec. 737)	---	3,000,000	---	---	-3,000,000
Total, title VII, General Provisions	---	3,000,000	---	---	-3,000,000
OTHER APPROPRIATIONS					
BIPARTISAN BUDGET ACT OF 2018 (P.L. 115-123)					
GSA, Federal Buildings Fund (emergency)	126,951	---	---	-126,951	---
SBA, Office of Inspector General (emergency)	7,000	---	---	-7,000	---
SBA, Disaster Loans Program Account (emergency)	1,652,000	---	---	-1,652,000	---
Total, Other Appropriations	1,785,951	---	---	-1,785,951	---

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FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Grand total	47,699,851	49,124,781	45,879,000	-2,020,851	-3,445,781
Appropriations	(48,618,500)	(48,838,210)	(45,729,000)	(-889,500)	(-3,109,210)
Rescissions	(-704,600)	(-75,000)	(-50,000)	(+854,800)	(+25,000)
Emergency	(1,785,951)	---	---	(-1,785,951)	---
Discretionary total (non-emergency)	23,671,900	26,868,781	23,423,000	-248,900	-3,445,781

1/ FY2018 funds for the Commodity Futures Trading Commission are shown for comparison purposes. In FY18, they were provided in the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act

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DIVISION E – DEPARTMENT OF THE INTERIOR, ENVIRONMENT,

AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

The following statement is an explanation of the effects of Division E, which provides appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), the Forest Service, the Indian Health Service, and related agencies for fiscal year 2019.

The joint explanatory statement accompanying this Act is approved and indicates congressional intent. Report language contained in House Report 115-765 and Senate Report 115-276 providing specific guidance to agencies regarding the administration of appropriated funds and any corresponding reporting requirements carries the same emphasis as the language included in this explanatory statement and should be complied with unless specifically addressed to the contrary herein. This explanatory statement, while repeating some language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

In cases where the House report, Senate report, or this explanatory statement direct the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations. Where this explanatory statement refers to the Committees or the Committees on Appropriations, unless otherwise noted, this reference is to the House Subcommittee on Interior, Environment, and Related Agencies and the Senate Subcommittee on Interior, Environment, and Related Agencies.

The Conferees direct each department and agency funded in this Act to follow the directions set forth in this Act and the accompanying statement and to not reallocate resources or reorganize activities except as provided herein or otherwise approved by the House and Senate Appropriations Committees through the reprogramming process as referenced in this explanatory statement. This explanatory statement addresses only those agencies and accounts for which there is a need for greater explanation than provided in the Act itself. Funding levels for appropriations by account, program, and activity, with comparisons to the fiscal year 2018 enacted level and the fiscal year 2019 budget request, can be found in the table at the end of this division.

Unless expressly stated otherwise, any reference to "this Act" or "at the end of this statement" shall be treated as referring only to the provisions of this division.

Arts and Humanities Advocacy.—The Conferees acknowledge and appreciate the decades of arts and humanities advocacy by the late Rep. Louise M. Slaughter. In her memory, the Conferees encourage the National Endowment for the Arts and the National Endowment for the Humanities to expand grant-making activities in a manner that honors her advocacy, especially in rural and under-served areas, so

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more Americans are able to benefit from the economic, social, and educational effects of the arts and humanities.

Delivery of Reports and Correspondence.—All reports, correspondence, and reprogramming requests from the agencies to the Committees shall be provided in both physical and electronic formats.

Directives.—The Department of the Interior and Forest Service are directed to continue the directions included in the explanatory statement accompanying the Consolidated Appropriations Act, 2017 (P.L. 115-31) relating to Vacant Grazing Allotments; State Wildlife Data; Bighorn Sheep; Land Grants, Acequias, and Community Ditches; and Public Access.

Harassment-Free Workplace.—The Conferees reiterate their expectation that all Federal employees, especially those in leadership positions, at the agencies funded by this Act will create and maintain harassment-free workplaces and remind the agencies of the directives in House Report 115-765 and Senate Report 115-276.

Making Litigation Costs Transparent.—The Department of the Interior, EPA, and the Forest Service are directed to provide to the House and Senate Committees on Appropriations, and to make publicly available no later than 60 days after enactment of this Act, detailed Equal Access to Justice Act (EAJA) fee information as specified in the explanatory statement accompanying Division G of the Consolidated Appropriations Act, 2017 (Public Law 115-31).

Multi-Agency Transparency.—The Conferees support increasing transparency within all agencies of the Department of the Interior, the Forest Service, and EPA. These agencies are encouraged to disclose costs associated with analyses required by the National Environmental Policy Act.

Paper Reduction Efforts.—The Conferees urge the Department of the Interior, EPA, Forest Service, and Indian Health Service to work with the Office of Management and Budget to reduce printing and reproduction costs and direct each agency to report to the Committees within 90 days of enactment of this Act on steps being undertaken to achieve this goal and how much each agency expects to save by implementing these measures.

Recreation Fee Authority.—A one-year extension of recreation fee authority for the Department of the Interior and the Forest Service is included in Section 427.

Twenty-first Century Conservation Service Corps.—Consistent with the direction in House Report 115-765 and Senate Report 115-276, the Conferees expect the Department of the Interior and the Forest Service to continue conservation partnerships with the 21st Century Conservation Service Corps and Public Lands Corps.

Water Rights.—The Conferees remind the Department of the Interior and the Forest Service of the States' jurisdiction over water law and expect that all applicable laws will be followed when considering a request for a permit or permit renewal.

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White Nose Syndrome.—The Conferees remind the agencies funded by this Act of the directive included in Senate Report 115-276.

Land and Water Conservation Fund.—The agreement includes $435,000,000 derived from the Land and Water Conservation Fund (LWCF) for programs consistent with chapter 2003 of title 54 of the United States Code, as identified in the table below.

	FY 2018 Enacted	Budget Request	This Bill
Land and Water Conservation Fund	**$425,000,000**	**-$12,867,000**	**$435,000,000**
State, Local and Forest Legacy Programs	**224,731,000**	**0**	**247,293,000**
National Park Service State Assistance	124,006,000	0	124,006,000
Coop. Endangered Species Conservation Fund	19,638,000	0	30,800,000
American Battlefield Protection Act	10,000,000	0	10,000,000
Highlands Conservation Act	10,000,000	0	20,000,000
Forest Legacy Program	**67,025,000**	**0**	**63,990,000**
Rescission	-5,938,000	-4,000,000	-1,503,000
Federal Land Acquisition	**200,269,000**	**-8,867,000**	**187,707,000**
Bureau of Land Management	24,916,000	3,392,000	28,316,000
Fish and Wildlife Service	53,839,000	11,953,000	45,189,000
National Park Service	46,935,000	8,788,000	34,438,000
Forest Service	64,337,000	0	72,564,000
Department of the Interior Valuation Services	10,242,000	9,000,000	9,000,000
Rescissions	0	-42,000,000	-1,800,000

The Conferees expect the agencies to move forward with all projects specifically identified and funded through this agreement; to utilize funding in a timely manner; and to seek congressional approval for reprogramming unobligated balances if applicable. The Conferees expect the agencies to provide timely information on project status and available balances. Agencies are directed to continue their longstanding process of identifying and prioritizing potential Federal land acquisition projects in anticipation of program appropriations as consistent with previous years. Within 30 days of the submission of the fiscal year 2020 budget or by March 1, 2019, whichever comes first, each agency is directed to submit to the Committees a prioritized list of projects for fiscal year 2020 consideration.

The Conferees believe increasing access to our public lands for hunting, fishing, and other recreational activities is important and again include funding for these projects. The agencies are expected to work with their respective regions, State offices, and/or management units to identify potential recreation access projects and to inform the Committees on project selections prior to proceeding.

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REPROGRAMMING GUIDELINES

The following are the procedures governing reprogramming actions for programs and activities funded in the Department of the Interior, Environment, and Related Agencies Appropriations Act. The Conferees remind the agencies funded in this Act that these reprogramming guidelines are in effect, and must be complied with, until such time as the Committees modify them through bill or report language.

Definitions.—"Reprogramming," as defined in these procedures, includes the reallocation of funds from one budget activity, budget line-item, or program area, to another within any appropriation funded in this Act. In cases where either the House or Senate Committee report displays an allocation of an appropriation below that level, that more detailed level shall be the basis for reprogramming.

For construction, land acquisition, and forest legacy accounts, a reprogramming constitutes the reallocation of funds, including unobligated balances, from one construction, land acquisition, or forest legacy project to another such project.

A reprogramming shall also consist of any significant departure from the program described in the agency's budget justifications. This includes proposed reorganizations, especially those of significant national or regional importance, even without a change in funding. Any change to the organization table presented in the budget justification shall be subject to this requirement.

The Conferees are aware that agencies funded by this Act are currently working to implement Executive Order 13781, a Comprehensive Plan for Reorganizing the Executive Branch, and have included in the fiscal year 2019 budget request a number of significant reorganization proposals for the Committees' consideration. The Conferees are also aware of reports that agencies funded by this Act may be weighing additional organizational changes during the remainder of this fiscal year. Agencies are reminded that this agreement continues longstanding General Guidelines for Reprogramming that require agencies funded by this Act to submit reorganization proposals for Committee review prior to their implementation. It is noted that such reprogramming guidelines apply to proposed reorganizations, workforce restructure, reshaping or transfer of functions presented in the budget justifications, or bureau-wide downsizing, especially those of significant national or regional importance, and include closures, consolidations, and relocations of offices, facilities, and laboratories presented in the budget justifications. In addition, no agency shall implement any part of a reorganization that modifies regional or State boundaries for agencies or bureaus that were in effect as of the date of enactment of this Act unless approved consistent with the General Guidelines for Reprogramming procedures specified herein. Any such reprogramming request submitted to the Committees on Appropriations shall include a description of anticipated benefits, including anticipated efficiencies and cost-savings, as well as a description of anticipated personnel impacts and funding changes anticipated to implement the proposal.

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General Guidelines for Reprogramming.—

(a) A reprogramming should be made only when an unforeseen situation arises, and then only if postponement of the project or the activity until the next appropriation year would result in actual loss or damage.

(b) Any project or activity, which may be deferred through reprogramming, shall not later be accomplished by means of further reprogramming, but instead, funds should again be sought for the deferred project or activity through the regular appropriations process.

(c) Except under the most urgent situations, reprogramming should not be employed to initiate new programs or increase allocations specifically denied or limited by Congress, or to decrease allocations specifically increased by the Congress.

(d) Reprogramming proposals submitted to the House and Senate Committees on Appropriations for approval shall be considered approved 30 calendar days after receipt if the Committees have posed no objection. However, agencies will be expected to extend the approval deadline if specifically requested by either Committee.

Criteria and Exceptions.—A reprogramming must be submitted to the Committees in writing prior to implementation if it exceeds $1,000,000 annually or results in an increase or decrease of more than 10 percent annually in affected programs or projects, whichever amount is less, with the following exceptions:

(a) With regard to the tribal priority allocations of the Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE), there is no restriction on reprogrammings among these programs. However, the Bureaus shall report on all reprogrammings made during a given fiscal year no later than 60 days after the end of the fiscal year.

(b) With regard to the EPA, the Conferees do not require reprogramming requests associated with the States and Tribes Partnership Grants, or up to a cumulative total of $30,000,000 from carryover balances among the individual program areas delineated in the Environmental Programs and Management account. No funds, however, shall be reallocated from individual Geographic Programs.

Assessments.—''Assessment'' as defined in these procedures shall refer to any charges, reserves, or holdbacks applied to a budget activity or budget line item for costs associated with general agency administrative costs, overhead costs, working capital expenses, or contingencies.

(a) No assessment shall be levied against any program, budget activity, subactivity, budget line item, or project funded by the Interior, Environment, and Related Agencies Appropriations Act unless such assessment and the basis therefor are presented to the Committees on Appropriations in the budget justifications and are subsequently approved by the Committees. The explanation for any assessment in

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the budget justification shall show the amount of the assessment, the activities assessed, and the purpose of the funds.

(b) Proposed changes to estimated assessments, as such estimates were presented in annual budget justifications, shall be submitted through the reprogramming process and shall be subject to the same dollar and reporting criteria as any other reprogramming.

(c) The Conferees direct that each agency or bureau which utilizes assessments shall submit an annual report to the Committees which provides details on the use of all funds assessed from any other budget activity, line item, subactivity, or project.

(d) In no case shall contingency funds or assessments be used to finance projects and activities disapproved or limited by Congress, or to finance programs or activities that could be foreseen and included in the normal budget review process.

(e) New programs requested in the budget should not be initiated before enactment of the bill without notification to, and the approval of, the Committees on Appropriations. This restriction applies to all such actions regardless of whether a formal reprogramming of funds is required to begin the program.

Quarterly Reports.—All reprogrammings between budget activities, budget line-items, program areas, or the more detailed activity levels shown in this agreement, including those below the monetary thresholds established above, shall be reported to the Committees within 60 days of the end of each quarter and shall include cumulative totals for each budget activity, budget line item, or construction, land acquisition, or forest legacy project.

Land Acquisitions, Easements, and Forest Legacy.—Lands shall not be acquired for more than the approved appraised value (as addressed in section 301(3) of Public Law 91-646), unless such acquisitions are submitted to the Committees on Appropriations for approval in compliance with these procedures.

Land Exchanges.—Land exchanges, wherein the estimated value of the Federal lands to be exchanged is greater than $1,000,000, shall not be consummated until the Committees have had a 30-day period in which to examine the proposed exchange. In addition, the Committees shall be provided advance notification of exchanges valued between $500,000 and $1,000,000.

Budget Structure.—The budget activity or line item structure for any agency appropriation account shall not be altered without advance approval of the House and Senate Committees on Appropriations.

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TITLE I – DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MANAGEMENT OF LANDS AND RESOURCES

Bureau of Land Management Directives.—The Bureau is reminded of the importance of the directives included in House Report 115-765 and Senate Report 115-276 not addressed herein, as well as the new directives in this explanatory statement, including the front matter. The Conferees support the innovative use of technology to improve the timeliness and accuracy of permitting decisions and direct the Bureau to provide a report within 90 days of enactment as directed by House Report 115-765. The Conferees reiterate the direction related to Chaco Canyon included in Senate Report 115-276.

Management of Lands and Resources (MLR).—The agreement provides $1,198,000,000 for MLR. Within this amount, the Colorado Basin Salinity Control Program is funded at $2,000,000. Unless noted herein, the Conferees do not accept the proposed funding decreases; specific funding allocation information is located at the end of this explanatory statement.

MLR Budget Restructuring.—The Conferees accept the Bureau's request to restructure several budget line items to increase efficiency in the delivery of programs. In fiscal year 2019, Soil, Water and Air Management moves into Rangeland Management. Riparian Management moves into Wildlife and Aquatic Habitat Management. Within the new Wildlife and Aquatic Management budget line item, the Conferees maintain specific funding for Threatened and Endangered Species to ensure transparency of funding for these activities and expect these changes will improve the Bureau's ability to report expenditures and performance as required by the Endangered Species Act (ESA). The Conferees also accept the proposal to consolidate Hazardous Materials and Abandoned Mine Lands.

Budget Restructuring Report Requirement.—The Conferees expect restructuring will improve program delivery and provide better on-the-ground results for Bureau-managed lands and direct the Bureau to provide a report with evidence of this improvement within 180 days of enactment of this Act.

Wild Horse and Burro Management.—The agreement provides $80,555,000 for wild horse and burro management. The Conferees fully recognize the financial and political challenges of controlling wild horse and burro populations and note that significant management changes need to be made within the near future in order to control costs, improve range conditions, and humanely manage wild horse and burro populations. As such, the Conferees reiterate their appreciation for the Bureau's April 26, 2018, report titled "Management Options for a Sustainable Wild Horse and Burro Program" but believe additional analysis is needed as directed by House Report 115-765. This analysis should be provided to Congress no later than 180 days after enactment of this Act. The Bureau is expected to continue evaluating its internal policies, procedures, and regulations to reduce costs and administrative burdens, as

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well as researching and developing appropriate, humane protocols for fertility control methods, including sterilization, and improve its contracting for off-range holdings. It is incumbent upon the Bureau to request the funding necessary to address this growing problem; better management of this program now will result in fewer dollars necessary in the future to restore the lands that wild horses, burros, and other wildlife depend upon. Therefore, the Conferees expect that the Bureau will include in its fiscal year 2020 budget request a proposal that outlines its proposed strategy and the funding necessary for implementation, including anticipated out-year estimates. The Conferees continue the current prohibitions on destruction and sale authority contained in the bill.

LAND ACQUISITION
(INCLUDING RESCISSION OF FUNDS)

The bill provides $28,316,000 for Land Acquisition and includes a rescission of $1,800,000 from previously appropriated Emergencies, Hardships, and Inholdings funding. The amounts provided by this bill for projects are shown in the table below, listed in priority order pursuant to the project list received for fiscal year 2019. The Conferees understand that projects on that list, such as the Upper Snake/South Fork River Special Recreation Management Area, meet the criteria for recreational access funding and should receive full consideration from the amounts included for recreational access. Further instructions are contained under the Land and Water Conservation Fund heading in the front of this explanatory statement.

State	Project	This Bill
ID	Little Salmon River Recreation Area	$800,000
MT	Everson Bench	400,000
CO	Gold Belt Access	2,400,000
CA	Headwaters National Forest Reserve	1,500,000
WY	Fortification Creek Wilderness Study Area	100,000
AL	Rebel Road	400,000
UT	Red Cliffs National Conservation Area	4,000,000
ID	Ridge to Rivers	300,000
NM	Sabinoso Area of Critical Environmental Concern	600,000
CA	Sand to Snow National Monument	1,000,000
NM	Fort Stanton-Snowy River Cave National Conservation Area	1,900,000
CA	Elkhorn Ridge	400,000

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WY	Sheep Mountain ACEC	1,500,000
CO	Dolores River	400,000
	Subtotal, Line Item Projects	15,700,000

		Budget Request	This Bill
	Acquisition Management	1,996,000	2,000,000
	Recreational Access	0	9,000,000
	Emergencies, Hardships, and Inholdings	1,396,000	1,616,000
	Rescission of Funds	-10,000,000	-1,800,000
	Total, BLM Land Acquisition	-6,608,000	26,516,000

OREGON AND CALIFORNIA GRANT LANDS

The agreement provides $106,985,000 for Oregon and California Grant Lands to be distributed as displayed in the funding allocation table at the end of this explanatory statement.

RANGE IMPROVEMENTS

The agreement provides $10,000,000 to be derived from public lands receipts and Bankhead-Jones Farm Tenant Act lands grazing receipts.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The agreement provides an indefinite appropriation estimated to be $25,850,000 for Service Charges, Deposits, and Forfeitures.

MISCELLANEOUS TRUST FUNDS

The agreement provides an indefinite appropriation estimated to be $24,000,000 for Miscellaneous Trust Funds.

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UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The bill provides $1,292,078,000 for Resource Management. All programs, projects, and activities are maintained at fiscal year 2018 enacted levels unless otherwise specified below or in the table at the end of this explanatory statement. For this and all other Service accounts funded in this bill, the Service is expected to comply with the instructions and requirements at the beginning of this division and in House Report 115-765 and Senate Report 115-276, unless otherwise specified below. Additional details, instructions, and requirements follow below and in the table at the end of this division.

Planning and Consultation.—The agreement includes $3,000,000 to avoid permitting delays and to achieve compliance with other statutes, which should be apportioned in accordance with workload needs nationwide rather than by region. In addition, $4,000,000 is provided for Gulf Coast Restoration activities to ensure that the Service has the resources necessary to avoid delays in projects related to the Deepwater Horizon incident. This is consistent with the amount provided in fiscal year 2018. Because the Conferees have provided the Service with substantial resources for Gulf Coast Restoration, they expect the Service to move forward with project reviews in a timely manner.

Lesser Prairie Chicken.—The Conferees are concerned that by listing the lesser prairie chicken (LPC) under the ESA in spite of the unprecedented level of voluntary conservation efforts in the habitat area, the Service significantly reduced the incentive for stakeholders to pursue future initiatives to preserve the LPC and other species. The Conferees note that if the listing of a species is viewed as inevitable, stakeholders lose the incentive to invest in private, voluntary conservation efforts. Therefore, the Conferees direct the Service to collaborate with local and regional stakeholders on improving voluntary solutions to conserve the species with the goal of avoiding the necessity of listing the LPC under the ESA.

Recovery.—The agreement includes: a $2,000,000 general program increase; $1,000,000 to implement the Prescott Grant Program as authorized by section 408(e) of the Marine Mammal Protection Act (16 U.S.C. 1421f–1(e)); and $6,000,000 for Recovery Challenge matching grants to enhance and increase partnerships with agencies and organizations implementing highest priority recovery actions as prescribed in recovery plans, and in particular for genetically-sound breeding, rearing, and reintroduction programs. Longstanding partnerships, including for the northern aplomado falcon, California condor, and Steller's eider, should be funded at not less than $2,500,000, and partner contributions should be not less than their current amounts. The remaining funds should be dedicated to new partnerships and should require a 50:50 match, which may include in-kind services. Unless an affected State is a partner on the project, none of the funds may be awarded to a project until the project partners have consulted with such

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State. The Service is expected to explore entering into an agreement with the National Fish and Wildlife Foundation (NFWF) for the purpose of administering the program and leveraging the funds with corporate and nonprofit contributions, in full consultation with the Service, and to brief the Committee within 60 days of enactment of this Act. None of the funds may be used for indirect costs.

Five-Year Reviews.—The Service is directed to complete all five-year reviews within the period required by law, and, for any determination on the basis of such review whether a species should be delisted, downlisted, or uplisted, promulgate an associated regulation and complete the rulemaking process prior to initiating the next status review for such species.

Gray Wolf.—The Conferees recognize the Service's recent commitment to work closely with Federal, State, Tribal and local partners to assess the currently listed gray wolf entities in the Lower 48 States using the best available scientific information, and if appropriate, publish a proposal to revise the wolf's status in the Federal Register by the end of the calendar year.

Grizzly Bear.—The Conferees direct the Service to work with ranchers, conservation groups, local governments, and other local partners to reduce conflicts between grizzly bears and livestock. These efforts should draw upon lessons learned with the Wolf Livestock Loss Demonstration Program to improve conservation outcomes while limiting effects to agricultural producers. Not less than 30 days after the date of enactment of this Act, and for a duration of not less than 90 days, the Service and the National Park Service are directed to re-open the public comment period regarding the draft environmental impact statement with proposed alternatives for the restoration of grizzly bears to the North Cascades Ecosystem. Any member of the public in attendance at any of the associated public forums and wishing to voice their opinion must be afforded the opportunity to do so.

Preble's Meadow Jumping Mouse.—The Service is urged to address consultations and permitting of public and private projects related to the Preble's meadow jumping mouse as one of the highest priorities.

Marbled Murrelet.—The Conferees are concerned that the draft Long Term Conservation Strategy for the marbled murrelet is focused primarily on inland nesting habitat when more than 90 percent of the life cycle of this species is spent in the marine environment. The Conferees also recognize that while the relationship between nesting habitat and marbled murrelet abundance is well documented, there is comparatively little known about factors linked to the marine environment, including environmental conditions, prey availability and bycatch mortality, that may be contributing to recent population declines in Washington, Oregon, and California. Therefore, the Conferees urge the Service to partner with the National Oceanic and Atmospheric Administration to pursue additional studies to determine the full range of factors linked to the marine environment that may affect marbled murrelet populations and to develop a comprehensive set of recommendations to address those factors. In

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addition, the Service is directed to work collaboratively with local communities, elected officials, and other stakeholders in the development of the final Long Term Conservation Strategy for the marbled murrelet.

National Wildlife Refuge System.—The agreement includes a general program increase of $1,000,000 for Wildlife and Habitat Management, and the Conferees encourage the Service to prioritize invasive species eradication activities. The subsistence program is continued at $2,835,000. In addition, $55,000,000 is provided for Refuge Maintenance Support.

Refuge Law Enforcement.—Adequate refuge law enforcement is critical to protect our natural resources, staff, and more than 53 million visitors at refuges. The Service should request adequate funding so no refuge is without law enforcement at any time.

Trapping on Refuges.—The Service website includes information on trapping on refuges at https://www.fws.gov/refuges/visitors/trapping.html and has instituted signage at those refuges. Trapping information for individual refuges can be found on their web pages under Resource Management.

Alaska Maritime National Wildlife Refuge.—The Service is expected to follow the directive from fiscal year 2018 that prohibits a caribou hunt on Kagalaska Island and efforts to remove cattle on Chirikof and Wosnesenski Islands in the State of Alaska.

Urban Wildlife Refuges.—Funding has been provided to continue the Urban Wildlife Refuge Partnership program at the fiscal year 2018 enacted level and to support efforts to promote conservation in urban areas.

Green River National Wildlife Refuge.—The Service is reminded of the direction included in Senate Report 115-276 to establish the Green River National Wildlife Refuge.

Rio Mora National Wildlife Refuge.—The Conferees expect the Service to continue to support staffing and educational programming at Rio Mora National Wildlife Refuge and to continue dialogue with nonprofit and Tribal partners on the Service's plan for long-term operations of the refuge. The Service shall brief the Committees within 60 days of enactment of this Act on the status of the operations plan.

Migratory Bird Management.—The agreement provides $3,237,000 as requested for aviation management, which is transferred to the General Operations activity to more accurately reflect the program's responsibilities across the Service.

Law Enforcement.—The agreement includes $2,000,000 for combating violations of the Indian Arts and Crafts Act, and the Service is directed to brief the Committees within 60 days of enactment of this Act on the proposed distribution of the funds.

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International Affairs.—The agreement provides $15,816,000 for International Affairs with the expectation that the Service will spend above the fiscal year 2018 enacted funding level for Wildlife Trafficking. Arctic Council Support is continued at $550,000.

National Fish Hatchery System Operations.—The agreement provides $4,000,000 for Klamath Basin Restoration Agreement activities, of which at least $3,500,000 is to support rearing and population monitoring, and of which $3,000,000 is transferred from Habitat Assessment and Restoration. None of the funds may be used to terminate operations or to close any facility of the National Fish Hatchery System. None of the production programs listed in the March 2013 National Fish Hatchery System Strategic Hatchery and Workforce Planning Report may be reduced or terminated without advance, informal consultation with affected States and Tribes.

Aquatic Habitat and Species Conservation.—The agreement includes $6,000,000 to implement the Delaware River Basin Conservation Act, $9,554,000 for the subsistence program, and $500,000 for the Lake Champlain sea lamprey program.

Asian Carp.—The Conferees recognize the importance of the work conducted by the Service to combat the serious threat of Asian carp and provide $11,000,000 for Asian carp activities, of which $2,000,000 is for contract fishing and deterrents to extirpate Asian carp, including grass carp. Funding should be used to control Asian carp in the Mississippi and Ohio River Basins, including in Kentucky Lake, Lake Barkley, Tennessee river systems, and the Ohio River, and to prevent Asian carp from entering and establishing in the Great Lakes. The Service should consider the utility of creating a dedicated funding source to increase the intensity and geographic scope of efforts to prevent entry into the Great Lakes.

Cooperative Landscape Conservation.—The agreement provides $12,500,000 for Cooperative Landscape Conservation to support partnerships of Federal, State, Tribal, and other organizations to develop shared conservation priorities as outlined in the congressional budget justifications provided to the Committees on Appropriations. Any deviation from that justification must be transparent and officially presented to the Committees on Appropriations, and there must be opportunities for public review and comment before any changes are instituted. Funding for Gulf Coast Restoration is continued at $1,000,000.

General Operations.—The agreement includes $5,516,000 for annual maintenance needs of the National Conservation Training Center (NCTC).

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CONSTRUCTION
(INCLUDING RESCISSION OF FUNDS)

The bill provides $55,613,000 for Construction, including $39,873,000 for the backlog of deferred maintenance principally at national fish hatcheries and national wildlife refuges, and rescinds $1,500,000 from prior year unobligated balances, of which $300,000 was made available by Public Law 111-8. The Service is directed to provide a spend plan to the Committees within 120 days of enactment of this Act for the deferred maintenance funding. The detailed allocation of funding by activity is included in the table at the end of this explanatory statement. For line-item construction, the Service is expected to follow the project priority list in the table below. When a construction project is completed or terminated and appropriated funds remain, the Service may use those balances to respond to unforeseen reconstruction, replacement, or repair of facilities or equipment damaged or destroyed by storms, floods, fires, and similar unanticipated events.

State	Refuge, Hatchery, or Other Unit	Budget Request	This Bill
IL	Crab Orchard National Wildlife Refuge (NWR)	$1,000,000	$1,000,000
AK	Alaska Maritime NWR	2,675,000	2,675,000
NM	Valle de Oro NWR	1,000,000	1,000,000
MI	Pendills Creek National Fish Hatchery (NFH)	700,000	700,000
N/A	Branch of Dam Safety (Newly acquired dams)	250,000	250,000
N/A	Branch of Dam Safety (Seismic safety)	200,000	200,000
TX	San Marcos Aquatic Resources Center	1,608,000	1,608,000
AZ	Alchesay NFH	150,000	150,000
N/A	Information Resources & Technology Management	250,000	250,000
AK	Yukon Delta NWR	400,000	400,000
MI	Sullivan Creek NFH	60,000	60,000

LAND ACQUISITION

The bill provides $65,189,000 for Land Acquisition. The amounts provided by this bill for projects are shown in the table below, listed in priority order pursuant to the project list received for fiscal year 2019. Further instructions are contained under the Land and Water Conservation Fund heading in the front of this explanatory statement.

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In a time when budgetary constraints allow for only a limited number of new land acquisition projects, the Conferees are encouraged by programs that leverage public/private partnerships for land conservation like the Highlands Conservation Act, which has a record of more than a 2 to 1 ratio in non-Federal matching funds. Therefore, the Conferees include $20,000,000 for the Highlands Conservation Act Grants and direct the Service to work with the Highlands States regarding priority projects for fiscal year 2019.

State	Project	This Bill
MT	Montana National Wildlife Refuges and Conservation Areas	$4,000,000
FL	Everglades Headwaters NWR and CA	2,000,000
SD	Dakota Grassland Conservation Area	4,000,000
AR	Cache River NWR	3,100,000
MD	Blackwater NWR	1,000,000
IA/MN	Northern Tallgrass Prairie NWR	500,000
FL	St. Marks NWR	2,000,000
ID/UT/WY	Bear River Watershed CA	1,500,000
TX	Laguna Atascosa NWR	1,000,000
CO/NM	San Luis Valley CA	2,000,000
CT/MA/ NH/VT	Silvio O. Conte NF&WR	1,000,000
NJ	Edwin B. Forsythe NWR	500,000
	Subtotal, Line Item Projects	22,600,000

		Budget Request	This Bill
	Acquisition Management	9,615,000	12,773,000
	Recreational Access	0	2,500,000
	Emergencies, Hardships, and Inholdings	1,641,000	5,351,000
	Exchanges	697,000	1,500,000
	Land Protection Planning	0	465,000
	Highlands Conservation Act Grants	0	20,000,000
	Rescission of Funds	-5,000,000	0
	Total, FWS Land Acquisition	6,953,000	65,189,000

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COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND
(INCLUDING RESCISSION OF FUNDS)

The bill provides $53,495,000 to carry out section 6 of the Endangered Species Act of 1973, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund and $30,800,000 is to be derived from the Land and Water Conservation Fund. The detailed allocation of funding by activity is included in the table at the end of this explanatory statement. In addition, the bill includes a rescission of $7,500,000 from unobligated balances of appropriations made prior to fiscal year 2014 for HCP Planning Assistance and Grants to States.

NATIONAL WILDLIFE REFUGE FUND

The bill provides $13,228,000 for payments to counties from the National Wildlife Refuge Fund.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The bill provides $42,000,000 for the North American Wetlands Conservation Fund.

NEOTROPICAL MIGRATORY BIRD CONSERVATION FUND

The bill provides $3,910,000 for the Neotropical Migratory Bird Conservation Fund.

MULTINATIONAL SPECIES CONSERVATION FUND

The bill provides $11,561,000 for the Multinational Species Conservation Fund. The detailed allocation of funding by activity is included in the table at the end of this explanatory statement.

STATE AND TRIBAL WILDLIFE GRANTS

The bill provides $64,571,000 for State and Tribal Wildlife Grants. The detailed allocation of funding by activity is included in the table at the end of this explanatory statement.

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NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The bill provides $2,502,711,000 for the Operation of the National Park System. All programs, projects, and activities are maintained at fiscal year 2018 levels, unless otherwise specified below.

For this and all other Service accounts funded in this bill, the Service is expected to comply with the instructions and requirements at the beginning of this division and in House Report 115-765 and Senate Report 115-276, unless otherwise specified below. The Service is directed to submit to the House and Senate Committees on Appropriations, within 60 days of enactment of this Act, an operating plan for the Operation of the National Park System appropriation that includes any necessary adjustments to the amounts provided to maintain park operations of all units budgeted in the fiscal year 2019 request. Such plan shall be subject to the reprogramming guidelines contained in this explanatory statement. Additional details, instructions, and requirements follow below and in the table at the end of this division.

Resource Stewardship.—The agreement includes: $3,000,000 for zebra mussel and quagga mussel containment, prevention, and enforcement; $10,032,000 for Everglades restoration; $1,500,000 to continue landscape restoration at newly authorized national parks, as provided by Public Law 114-113; and a total of $800,000 to continue cave and karst ecosystem research.

Visitor Services.—The agreement rejects all of the reductions proposed in the budget request. The Service is reminded of the directive in House Report 115-765 with regard to maintaining fiscal year 2018 funding levels.

Park Protection.—The agreement does not include a one-time increase provided in fiscal year 2018 for the replacement of Park Police aircraft. Annual funding related to new aircraft is provided under Park Support and includes a program increase of $1,200,000 to return the Service to a standard aircraft replacement cycle.

Facility Operations and Maintenance.—The agreement includes $135,980,000 for repair and rehabilitation projects and $151,575,000 for cyclic maintenance.

Park Support.—The agreement includes $10,535,000 of increases requested in the budget addendum, including: $6,225,000 for additional park rangers; $830,000 for increased law enforcement training costs; $1,200,000 for the U.S. Park Police helicopter replacement; $1,300,000 for public health officers; $150,000 for unmanned aircraft services expertise; $400,000 for Katahdin Woods and Waters; $965,000 for new parks such as Ste. Genevieve, Birmingham Civil Rights, and Freedom Riders; and $400,000 for Captain John Smith National Heritage Trail to manage the new land acquisition of Werowocomoco. The agreement also includes $500,000 for the Semiquincentennial Commission to be expended in accordance with the United States Semiquincentennial Commission Act of

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2016. Funding for the Roosevelt-Campobello International Park is maintained at the fiscal year 2018 level. Funding requested for the agency's reorganization efforts is provided subject to the guidance included at the front of this explanatory statement.

The Conferees note there are concerns regarding the Service's current inventory of hand-held equipment supporting global positioning systems. These systems are at end-of-life and have operating systems that are no longer supported by the developer. The Service is directed to brief the Committees on these issues within 90 days of enactment of this Act.

External Administrative Costs.—The agreement includes $184,925,000 for external administrative costs, including required fixed costs.

Quagga and Zebra Mussel Control.—The Conferees remain concerned about the spread of quagga and zebra mussels in the West and have provided $3,000,000 for continued containment, prevention, and enforcement efforts, equal to the fiscal year 2018 enacted level.

Blackstone River Valley National Historical Park.—The agreement includes requested funding for the Blackstone River Valley National Historical Park with the expectation that the Service will continue to make funds available to the local coordinating entity to maintain staffing and capacity to assist in management of the park as authorized in Public Law 113-291.

Captain John Smith National Historic Trail.—The Conferees strongly disagree with the Service's decision to proceed with management changes that affect the Service's Chesapeake Bay Office, the Captain John Smith Chesapeake National Historic Trail, and the Werowocomoco site despite congressional concerns. The Service is directed to produce the report required by Senate Report 115-276 that details the Service's legal authorities to make the change and the steps it plans to take to ensure that the management changes do not weaken the Service's commitment to Chesapeake Bay Program partnerships.

Denali National Park Road.—The Conferees are particularly concerned about the condition of the Denali National Park road and direct the Service to follow the guidance contained in Senate Report 115-276 concerning the road.

Everglades Restoration.—The Conferees note the progress made toward restoration of the Everglades ecosystem and continue to support this multi-year effort to preserve one of the great ecological treasures of the United States.

Oklahoma City National Memorial & Museum.—The Conferees acknowledge the Service's submission of the report required by the Consolidated Appropriations Act, 2018 concerning Federal funds allocated for the Oklahoma City Memorial. The Service should continue to work with all interested stakeholders to determine options for providing the fully authorized level of $5,000,000 for the memorial.

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Point Reyes National Seashore.—The Conferees note that multi-generational ranching and dairying is important both ecologically and economically for the Point Reyes National Seashore and the surrounding community. These historic activities are also fully consistent with Congress's intent for the management of Point Reyes National Seashore. The Conferees are aware that the Service is conducting a public process to comply with a multi-party settlement agreement that includes the preparation of an environmental impact statement to study the effects of dairying and ranching on the park. The Conferees strongly support the inclusion of alternatives that continue ranching and dairying, including the Service's Initial Proposal to allow existing ranch families to continue ranching and dairying operations under agricultural lease/permits with 20-year terms, and expect the Service to make every effort to finalize a General Management Plan Amendment that continues these historic activities.

Trestles Historic District.—The Conferees recognize that Trestles Beach plays a vital role in the training and readiness of the United States Marine Corps and note that amendments to the National Historic Preservation Act included in National Park Service Centennial Act (P.L. 114-289) modified the nomination and approval process for the listing of Federal properties on the National Register of Historic Places. The Conferees also note the Department has taken the position that it does not have jurisdiction to hear an appeal alleging a failure of the Department of the Navy to nominate the Trestles Historic District to the National Register and do not expect the Department to take any further action on this issue.

NATIONAL RECREATION AND PRESERVATION

The bill provides $64,138,000 for national recreation and preservation programs and includes the following additional instructions.

Heritage Partnership Program.—The agreement includes $20,321,000 for the Heritage Partnership Program. The Conferees continue to encourage individual heritage areas to develop plans for long-term sufficiency. The Conferees commend the Alliance of National Heritage Areas, in response to congressional direction, for developing an allocation model that maintains core services of more established areas while proposing additional resources to newer areas. The Conferees note this progress and direct the Service to work with heritage areas to further develop consensus toward a sustainable funding distribution. As this effort continues, the Conferees expect the Service to distribute funds in the same manner as fiscal year 2017 with the increase above the enacted level to be equally distributed to Tier I areas or Tier 2 areas currently receiving the minimum funding levels of $150,000 and $300,000 respectively.

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Natural Programs.—The Conferees maintain funding for Natural Programs, including the Chesapeake Gateways and Trails program and Rivers, Trails, and Conservation, at the fiscal year 2018 enacted level.

Cultural Programs.—The agreement includes $25,562,000 for cultural programs, an increase of $500,000 above the enacted level. The increase above the enacted level is provided pursuant to 20 U.S.C. 4451(b) for grants to nonprofit organizations or institutions for the purpose of supporting programs for Native Hawaiian or Alaska Native culture and arts development at a total program level of $1,000,000 to be utilized consistent with the direction outlined in the explanatory statement accompanying Public Law 115-141. This program is a good example of a multi-state, multi-organizational collaboration as envisioned under the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act. Other cultural programs, including grants to preserve and interpret Japanese American Confinement Sites, are continued at their fiscal year 2018 levels.

Grants Administration.—The agreement does not include the proposed transfer of grants administration to cultural programs as proposed in the request.

Native American Graves Protection and Repatriation Grants.—The agreement supports the Native American Graves Protection and Repatriation Grant Program and maintains funding at the fiscal year 2018 enacted level.

American Battlefield Protection Program Assistance Grants.—Funding is provided at the fiscal year 2018 enacted level. The Conferees recognize the importance of public-private partnerships to maintain the preservation of America's battlefields and urge the Service to give priority to projects with broad partner support. The Conferees continue to encourage the timely review and processing of grants.

HISTORIC PRESERVATION FUND

The bill provides $102,660,000 for the Historic Preservation Fund. Within this amount, $49,675,000 is provided for grants to States and $11,735,000 is provided for grants to Tribes. The bill also includes $15,250,000 for competitive grants, of which $750,000 is for grants to underserved communities and $14,500,000 is for competitive grants to document, interpret, and preserve historical sites associated with the Civil Rights Movement. The agreement also includes $8,000,000 for competitive grants to Historically Black Colleges and Universities and $13,000,000 for the Save America's Treasures competitive grant program for the preservation of nationally significant sites, structures, and artifacts.

The agreement continues $5,000,000 for preservation grants to revitalize historic properties of national, State, and local significance in order to restore, protect, and foster economic development of

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rural villages and downtown areas. Grants shall be made available to States, local governments, Tribes, or community or statewide non-profit organizations for the purpose of making sub-grants to eligible projects. Priority shall be given to applicants with a demonstrated capacity for allocating similar awards for preservation of such sites. To ensure that limited funds are targeted in the most effective manner, the Conferees recommend that the Service give priority to applicants that cap their administrative costs at no more than five percent. The Service shall confer with the House and Senate Committees on Appropriations prior to finalizing a grant announcement for these funds and shall distribute grants expeditiously.

CONSTRUCTION

The bill provides $364,704,000 for Construction and includes a general program increase of $127,151,000 above the request to address longstanding deferred maintenance and major construction related requirements of the Service. The Service is directed to provide, no later than 60 days after enactment of this Act, an operating plan for the allocation of funds, including Line Item Construction projects. Requests for reprogramming will be considered pursuant to the guidelines included at the beginning of this explanatory statement. No funds are provided for project number 16, entitled "Rehabilitate Historic Main Parade Ground Barracks" at the Fort Vancouver National Historic Site. The Conferees have become aware that the proposed project is intended as part of a future plan to relocate the Service's Pacific West Regional Office from its current location in California. However, the budget request does not indicate any such plans, and the Department subsequently implemented new regional boundaries for the Service as of August, 2018. Therefore, it is premature to fund this project during fiscal year 2019. The Conferees further note with concern that the Service decided to move the current regional office without first consulting stakeholders and Congress. The Service is reminded that major organizational proposals like this should be disclosed as part of the annual budget proposal so that Congress and the public have opportunity to vet them.

Gustavus Intertie, Glacier NP.—The Conferees direct the Service to consult regularly with the City of Gustavus as it issues the RFP, prospectus, and design/build contracts for the intertie at Glacier Bay National Park.

LAND ACQUISITION AND STATE ASSISTANCE

The bill provides $168,444,000 for Land Acquisition and State Assistance. The amounts provided by this bill for projects are shown in the table below, listed in priority order pursuant to the

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project list received for fiscal year 2019. Further instructions are contained under the Land and Water Conservation Fund heading in the front of this explanatory statement.

State	Project	This Bill
LA	Jean Lafitte National Historical Park and Preserve	$1,456,000
AL	Little River Canyon National Preserve	985,000
WY	Grand Teton National Park	5,250,000
VA	Cedar Creek and Belle Grove National Historical Park	1,556,000
TN	Obed Wild and Scenic River	962,000
NC/SC/ TN/VA	Overmountain Victory National Historic Trail	185,000
AR	Buffalo National River	246,000
MI	Sleeping Bear Dunes National Lakeshore	2,308,000
KY, TN	Big South Fork National River & Recreation Area	398,000
MD	Antietam National Battlefield	557,000
	Subtotal, Line Item Projects	13,903,000

		Budget Request	This Bill
	Acquisition Management	8,788,000	9,679,000
	Recreational Access	0	2,000,000
	Emergencies, Hardships, Relocations, and Deficiencies	0	3,928,000
	Inholdings, Donations, and Exchanges	0	4,928,000
	American Battlefield Protection Program	0	10,000,000
	Rescission of Funds	-10,000,000	0
	Total, NPS Land Acquisition	-1,212,000	44,438,000
Assistance to States:			
	State conservation grants (formula)	0	100,000,000
	State conservation grants (competitive)	0	20,000,000
	Administrative expenses	0	4,006,000
	Total, Assistance to States	0	124,006,000
	Total, NPS Land Acquisition and State Assistance	-1,212,000	168,444,000

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CENTENNIAL CHALLENGE

The bill provides $20,000,000 for the Centennial Challenge matching grant program. The program provides dedicated Federal funding to leverage partnerships for signature projects and programs for the national park system. The Conferees expect these funds to be used by the Service to address projects that have a deferred maintenance component in order to alleviate the sizeable deferred maintenance backlog within the national park system. A one-to-one match is required for projects to qualify for these funds. The Service is urged to give preference to projects that demonstrate additional leveraging capacity from its partners. From amounts in the Centennial Challenge account, the Conferees encourage the Department to make $5,000,000 available for critical programs and projects, pursuant to 54 U.S.C. 1011 Subchapter II, subject to terms and conditions outlined in Title VI of Public Law 114-289. The Conferees note that amounts appropriated for the Centennial Challenge are now supplemented by additional mandatory revenues from sales of Federal Recreational Lands Senior Passes, as authorized by the National Park Service Centennial Act (P.L. 114-289).

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH

The bill provides $1,160,596,000 for Surveys, Investigations, and Research of the U.S. Geological Survey (USGS, or the Survey). The detailed allocation of funding by program area and activity is included in the table at the end of this explanatory statement. The Survey is reminded of the guidance and reporting requirements contained in House Report 115-765 and Senate Report 115-276 that should be complied with unless specifically addressed to the contrary herein, as explained in the front matter of this explanatory statement.

Ecosystems.—The agreement provides $156,882,000, including a $2,000,000 reduction for land and water management research activities within the status and trends and fisheries program subactivities. The Survey provides critical scientific research and data to land and water managers in priority landscapes such as the Arctic, Puget Sound, California Bay Delta, Everglades, Great Lakes, Columbia River, and the Chesapeake Bay, and the Conferees expect this work to continue at the enacted levels. The agreement includes $8,800,000 to maintain the current funding level at the Great Lakes Science Center.

The agreement maintains the Senate funding level and direction on white nose syndrome, as well as $300,000 for whooping crane research and $200,000 for research on coral disease.

The agreement includes $7,600,000 for Asian carp, of which a total of $2,000,000 is for research on containing and eradicating grass carp.

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The agreement provides a $1,000,000 increase for Cooperative Research Unit (CRUs) vacancies, including $250,000 for research as directed in Senate Report 115-276.

The Conferees have included $500,000 for the continued research transferred from curation activities.

Land Resources.—The agreement provides $158,299,000 for the Land Resources program. Within these funds, Landsat 9 is fully funded at $32,000,000 and the AmericaView State grant program receives $1,215,000. The agreement continues funding for the eight regional science centers at the fiscal year 2018 enacted level.

Energy, Minerals, and Environmental Health.—The agreement provides $111,736,000 for Energy, Minerals, and Environmental Health, with $9,598,000 included for the new critical mapping initiative, Three Dimensional mapping, and Economic Empowerment Program. The Conferees include $3,800,000 for the implementation of Secretarial Order 3352 and encourage the Survey to continue to work on the U.S. domestic mineral base survey, which would be a complementary tool for the new critical minerals initiative. The Survey is reminded to follow the Senate direction on mapping in the Arctic mineral belt.

The agreement includes $100,000 within funds for Mineral Resources to develop a map showing pyrrhotite occurrences across the United States.

The agreement provides $12,598,000 for toxic substances hydrology with increased funding to understand cyanobacteria and toxins in stream and wetland ecosystems and to expedite the development and deployment of remote sensing tools to assist with early event warning. The Conferees also direct $200,000 to be used for activities to better understand mechanisms that result in toxins being present in harmful algal blooms.

Natural Hazards.—The agreement provides $166,258,000 for the Natural Hazards Program, including $83,403,000 for earthquake hazards. Within this funding, $16,100,000 is provided for continued development of an earthquake early warning (EEW) system and $5,000,000 is provided for capital costs associated with the buildout of the EEW. Additionally, $5,000,000 is provided for Advanced National Seismic System (ANSS) infrastructure and $1,200,000 is provided to address base staffing needs necessary to support the ANSS.

The Conferees have not yet received an updated Technical Implementation Plan for the ShakeAlert Production System, including revised cost estimates and timelines, as directed in the statement accompanying P.L.115-141. The Conferees encourage completion and review of this report and expect to receive it as quickly as practicable.

The agreement includes the continuation of the $800,000 for the Central and Eastern U.S. Seismic Network (CEUSN). The Conferees also continue the $1,000,000 for regional seismic networks

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and expect the Survey to allocate funds according to the same methodology used in fiscal year 2018. The agreement includes $2,000,000 for the Earthscope USArray project.

Within volcano hazards, the agreement provides $1,540,000 for operations at high-threat volcanoes as a result of the one-time infrastructure funding provided in fiscal year 2018; $1,000,000 for next generation lahar detection operations; and a total of $3,145,000 for new next-generation lahar detection system infrastructure on very high-threat volcanoes.

Water Resources.—The agreement provides $226,308,000 for Water Resources, with $61,746,000 directed to activities associated with the Cooperative Matching Funds, including a $1,000,000 increase for integrated water assessments and a $819,000 increase for harmful algal bloom work as directed in House Report 115-765. The agreement maintains funding at the enacted level for the Mississippi River Alluvial Plain, the U.S.-Mexico aquifer project, and shallow and fractured bedrock terrain.

The agreement includes $10,000,000 in streamgage infrastructure investments, with a total of $8,500,000 for deployment and operation of NextGen water observing equipment and $1,500,000 for streamgages on transboundary rivers. The agreement maintains funding for the streamgage on the Unuk River at $120,000.

The groundwater monitoring network is to be maintained at the fiscal year 2018 enacted level.

Core Science Systems.—The agreement provides $117,902,000 for Core Science Systems, which includes an increase of $1,500,000 for 3D Elevation Program (3DEP) National Enhancement and a total of $7,722,000 for Alaska Mapping and Map Modernization. The agreement includes $16,580,000 for the US Topo program to continue shifting map production toward dynamic product-on-demand mapping.

The Conferees are aware there are multiple advanced lidar technologies and encourage the Survey to utilize advanced technologies as long as such technology is in accordance with the Survey's guidelines.

Facilities.—The agreement includes $120,383,000 for facilities, deferred maintenance, and capital improvement. Within these amounts, $12,454,000 is included for the Menlo Park facility transition. The Conferees have continued the infrastructure funding provided in fiscal year 2018 for deferred maintenance. Of the amount provided, $4,800,000 shall be available for interim office and laboratory space, equipment, and other needs due to the destruction of the Hawaiian Volcano Observatory and the continuing volcanic activity at Kilauea.

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BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

The bill provides $179,266,000 for Ocean Energy Management to be partially offset with the collection of rental receipts and cost recovery fees totaling $49,816,000, for a net discretionary appropriation of $129,450,000. The agreement includes the following additional guidance:

Five-year lease plan.—The request for the Bureau's efforts to initiate a new five year offshore leasing program is fully funded, and the Conferees encourage an expeditious and thorough review.

Offshore Revenues.—The Conferees direct the Department to distribute revenues from Gulf of Mexico operations in a manner consistent with the Gulf of Mexico Energy Security Act of 2006 (P.L. 109-432).

Offshore Wind Energy Development.—The Conferees understand that the Bureau is continuing to work in North Carolina with local stakeholders, industry, and State task forces, and that there will be no lease sales for offshore areas in North Carolina during fiscal year 2019.

Renewable Energy.—The Bureau should continue to follow the direction under this heading in Senate Report 115-276 concerning offshore wind energy and working cooperatively with the Department of Energy and coastal States.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

The bill provides $187,240,000 for Offshore Safety and Environmental Enforcement to be partially offset with the collection of rental receipts, cost recovery fees, and inspection fees totaling $65,889,000 for a net discretionary appropriation of $121,351,000.

OIL SPILL RESEARCH

The bill provides $14,899,000 for Oil Spill Research.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The bill provides $115,804,000 for the Office of Surface Mining Reclamation and Enforcement (OSMRE) Regulation and Technology account and includes $2,300,000 in the form of grant payments to States preparing to assume primacy. Regulatory grants shall be funded at $70,890,000, with $68,590,000,

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equal to the fiscal year 2018 enacted level, provided in the bill. OSMRE is directed to apply $2,300,000 in fiscal year 2018 carryover to the State regulatory grant program to maintain fiscal year 2018 funding levels for States with primacy.

ABANDONED MINE RECLAMATION FUND

The bill provides $139,672,000 for the Abandoned Mine Reclamation Fund. Of the funds provided, $24,672,000 shall be derived from the Abandoned Mine Reclamation Fund and $115,000,000 shall be derived from the General Fund. The $115,000,000 in grants to States and Indian tribes for the reclamation of abandoned mine lands in conjunction with economic and community development and reuse goals shall be distributed in accordance with the same goals, intent, and direction as in fiscal year 2018.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION
OPERATION OF INDIAN PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

The bill provides $2,414,577,000 for Operation of Indian Programs. All programs, projects, and activities are maintained at fiscal year 2018 levels, except for requested fixed cost increases and transfers, or unless otherwise specified below. For this and all other Bureau accounts funded in this bill, Indian Affairs is expected to comply with the instructions and requirements at the beginning of this division and in House Report 115-765 and Senate Report 115-276, unless otherwise specified below. Additional details, instructions, and requirements follow below and in the table at the end of this division. Indian Affairs is reminded of the importance of meeting reporting requirement deadlines so that the Committees can properly evaluate programs. Failure to do so could negatively impact future budgets.

Tribal Government.—The agreement provides $320,973,000 for Tribal government programs, and includes $2,000,000 to improve the condition of unpaved roads and bridges used by school buses transporting students. Funds to implement the Native American Tourism Improvement and Visitor Experience Act of 2016 continue at the fiscal year 2018 enacted level.

Human Services.—The agreement provides $161,416,000 for human services programs and includes $300,000 to support women and children's shelters that are serving the needs of multiple Tribes or Alaska Native Villages in the areas served by the Tiwahe pilot sites.

Trust – Natural Resources Management.—The agreement provides $206,870,000 for natural resources management programs, including a $500,000 program increase for forestry Tribal priority allocations. The agreement provides $1,500,000 to implement section 7(b) of Public Law 102-495, the

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Elwha River Ecosystem and Fisheries Act, and the Bureau is directed to follow the related guidance contained in House Report 115-765.

The Conferees understand that the Pacific Salmon Commission is close to reaching an agreement to amend Annex IV of the Pacific Salmon Treaty to replace management terms that expire on December 31, 2018; therefore, the Bureau is directed to report back within 90 days of enactment of this Act with a detailed cost estimate of the responsibilities under the Pacific Salmon Treaty and, specifically, Annex IV of the Treaty as proposed to be amended.

Trust – Real Estate Services.—The agreement provides $130,680,000 for real estate services, of which $1,500,000 is for rights protection litigation support and $450,000 is for certification of historical places and cultural sites, including Alaska Native Claims Settlement Act.

Bureau of Indian Education.—The agreement includes $904,557,000 for the Bureau of Indian Education and partially retains and redistributes a one-time forward funding increase provided in fiscal year 2018. A program increase of $1,000,000 is included for Tribal colleges and universities. Tribal grant support costs continue to be fully funded. Within education program enhancements, funding for Native language immersion grants continues at the fiscal year 2018 level of $2,000,000.

The Conferees are aware of the Department's efforts to pursue alternative financing options to address the significant need for replacement school construction at Bureau of Indian Education funded schools and have included an increase of $2,000,000 within Facility Operations to implement a pilot program to meet these needs. Before obligating these funds, the Department shall provide an expenditure plan for these funds to the Committees that includes details regarding how these funds will be used in fiscal year 2019, potential out-year impacts and demand for the program, and additional recommendations for legislative authority or other considerations for future program management.

Public Safety and Justice.—The agreement provides $411,517,000 for public safety and justice programs, of which: $1,000,000 is to implement the Native American Graves Protection and Repatriation Act; $8,250,000 is for patrol officers in areas hit hardest by the opioid epidemic; $3,033,000 is to reduce recidivism through the Tiwahe initiative; $2,000,000 is for Tribal detention facility staffing needs, including addressing the needs of newly funded Tribal detention facilities; $13,000,000 is to address the needs of Tribes affected by Public Law 83-280; and $2,000,000 is to implement the Violence Against Women Act for both training and specific Tribal court needs.

Community and Economic Development.—The agreement provides $47,579,000 for community and economic development programs, including $3,400,000 to implement the Native American Tourism Improvement and Visitor Experience Act of 2016 and $1,000,000 for the modernization of oil and gas records.

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A program increase of $1,000,000 is included for the Office of Indian Energy and Economic Development to provide assistance to Tribes to enhance economic development and improve access to private financing of development projects. The Office should assist with feasibility studies and provide technical assistance to Tribes to establish commercial codes, courts and other business structures. Further, the Office should undertake efforts to build Tribal capacity to lease Tribal lands and manage economic and energy resource development. Finally, the Office should explore opportunities to foster incubators of Tribal-owned and other Native American-owned businesses. The Office is expected to track accomplishments for each of these purposes and to report them annually in its budget justification.

Executive Direction and Administrative Services.—The agreement includes $230,985,000 for executive direction and administrative services, of which: $10,155,000 is for Assistant Secretary Support; $20,251,000 is for Executive Direction; and $48,019,000 is for Administrative Services.

Tribal Sovereignty.—It is the Conferees' understanding that the authorizing committees of jurisdiction are actively working to expeditiously address issues raised by 25 U.S.C. section 251. The Bureau is expected to work cooperatively with Tribes and the relevant committees on such efforts.

CONTRACT SUPPORT COSTS

The bill provides an indefinite appropriation for contract support costs, consistent with fiscal year 2018 and estimated to be $247,000,000.

CONSTRUCTION
(INCLUDING TRANSFER OF FUNDS)

The bill provides $358,719,000 for Construction. All programs, projects, and activities are maintained at fiscal year 2018 levels except for requested fixed cost increases and transfers, or unless otherwise specified below.

Education Construction.—The agreement provides $238,250,000 for schools and related facilities within the Bureau of Indian Education system and includes the following: $105,504,000 for replacement school campus construction; $23,935,000 for replacement facility construction; $13,576,000 for employee housing repair; and $95,235,000 for facilities improvement and repair.

Public Safety and Justice Construction.—The agreement provides $35,310,000 for public safety and justice construction and includes the following: $18,000,000 for facilities replacement and new construction program; $4,494,000 for employee housing; $9,372,000 for facilities improvement and repair; $170,000 for fire safety coordination; and $3,274,000 for fire protection.

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Resources Management Construction.—The agreement provides $71,231,000 for resources management construction programs and includes the following: $28,695,000 for irrigation project construction, of which $10,000,000 is for projects authorized by the WIIN Act; $2,605,000 for engineering and supervision; $1,016,000 for survey and design; $650,000 for Federal power compliance; and $38,265,000 for dam safety and maintenance. The Conferees direct the Bureau to report back to the Committees on Appropriations within 90 days of enactment of this Act outlining the execution strategy for those funds provided under section 3211 of the WIIN Act (P.L. 114-322).

Other Program Construction.—The agreement provides $13,928,000 for other programs and includes the following: $1,419,000 for telecommunications, including $300,000 to improve officer safety by eliminating radio communications dead zones; $3,919,000 for facilities and quarters; and $8,590,000 for program management, including $2,634,000 to continue the project at Fort Peck.

INDIAN LAND AND WATER CLAIMS SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

The bill provides $50,057,000 for Indian Land and Water Claims Settlements and Miscellaneous Payments to Indians, ensuring that Indian Affairs will meet the statutory deadlines of all authorized settlement agreements to date. The detailed allocation of funding by settlement is included in the table at the end of this explanatory statement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

The bill provides $10,779,000 for the Indian Guaranteed Loan Program Account to facilitate business investments in Indian Country.

DEPARTMENTAL OFFICES
OFFICE OF THE SECRETARY
DEPARTMENTAL OPERATIONS
(INCLUDING TRANSFER OF FUNDS)

The bill provides $124,673,000 for Departmental Offices, Office of the Secretary, Departmental Operations. Programs are expected to comply with the instructions and requirements at the beginning of this division and in House Report 115-765 and Senate Report 115-276. The agreement maintains the staff and funding associated with the office of Native Hawaiian Relations in the office of

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the Assistant Secretary for Policy, Management and Budget. The Conferees have provided funding for the Alyce Spotted Bear and Walter Soboleff Commission on Native Children.

Department of the Interior Reorganization.—The Conferees note that the Department moved forward with the first phase of its planned reorganization on August 22, 2018, when it established new regional boundaries for all of its bureaus except for those which fall under the leadership of the Assistant Secretary of Indian Affairs. Recognizing that many of the specific details of the reorganization are still in development, the Conferees reiterate that the Department must develop a concrete plan for how it will reshape its essential functions, taking into account its relationships with the Tribes, State and local governments, private and nonprofit partners, the public, and the Department's workforce. Transparency must be an essential element of the reorganization process, and the Department is expected to continue engaging external stakeholders and conducting robust Tribal consultation as it develops its expected organizational changes.

The Conferees appreciate the commitment of Departmental leadership, through an exchange of formal letters, to regularly consult with the Committees throughout the ongoing reorganization process and to adhere to the reprogramming guidelines set forth in the explanatory statement accompanying this Act, which require the Department to submit certain organizational changes for Committee review, including workforce restructure, reshaping, or transfer of functions. The Conferees also note that the agreement includes a total of $14,100,000 in new funding to implement the reorganization within the budgets of the Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service, U.S. Geological Survey, and Bureau of Indian Affairs, and expect the Department to provide a report on the planned use of these funds to the Committees 30 days prior to obligating these funds.

Payments in Lieu of Taxes (PILT).—The agreement includes funding for PILT for fiscal year 2019 in Section 116 of Title I General Provisions.

ANSEP.—The Conferees are aware that the Alaska Native Science & Engineering Program (ANSEP) at the University of Alaska Anchorage would like to become a "Designated Partner Organization" under the Direct Hire Authority for Resource Assistant Internship Program, as identified in the Consolidated Appropriations Act of 2012; PL 112-74; H.R. 2055 Division E Title I Section 121; 16 U.S.C. 1725(a), and the Conferees encourage the Department to facilitate this partnership.

Volcanic Eruption.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a report on all Department facilities damaged by a volcanic eruption covered by a Presidential Disaster Declaration made in calendar year 2018. The report shall include: (1) an inventory of all Department facilities that were damaged; (2) a full description of facilities closures, and the estimated impact on visitation to National Park Service facilities; and (3) a plan to restore or replace damaged facilities and restore historic visitation levels which includes associated cost estimates. In

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preparing the plan, the Secretary shall engage with the host community, including State and local governments. The Secretary is also encouraged to consider collocating damaged U.S. Geological Survey facilities in a lower risk area as part of the plan.

INSULAR AFFAIRS
ASSISTANCE TO TERRITORIES

The agreement provides $100,688,000 for Assistance to Territories. The detailed allocation of funding is included in the table at the end of this explanatory statement.

The Conferees remind the Department of the directives contained in Senate Report 115-276 regarding U.S. Virgin Islands Hurricane Impacts, American Samoa, compact impact, and civic education programs for Insular Area students.

COMPACT OF FREE ASSOCIATION

The agreement provides $3,413,000 for Compact of Free Association, $123,774,000 below the fiscal year 2018 enacted level and $304,000 above the budget request. The Consolidated Appropriations Act, 2018 (P.L. 115-141) provided $123,824,000 in necessary funds to finalize the 2010 Compact Review Agreement with Palau and bring it into force. A detailed table of funding recommendations below the account level is provided at the end of this explanatory statement.

OFFICE OF THE SOLICITOR
SALARIES AND EXPENSES

The bill provides $65,674,000 for the Office of the Solicitor. The detailed allocation of funding is included in the table at the end of this explanatory statement.

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

The bill provides $52,486,000 for the Office of Inspector General. The detailed allocation of funding is included in the table at the end of this explanatory statement.

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OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS
FEDERAL TRUST PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

The agreement provides $111,540,000 for the Office of the Special Trustee for American Indians and includes the requested transfer to the Office of Valuation for Appraisal Services. The detailed allocation of funding by activity is included in the table at the end of this explanatory statement.

DEPARTMENT-WIDE PROGRAMS
WILDLAND FIRE MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

The agreement provides a total of $941,211,000 for Department of the Interior Wildland Fire Management. Of the funds provided, $388,135,000 is for suppression operations, which fully funds wildland fire suppression at the 10-year average, and $189,000,000 is for fuels management activities. The detailed allocation of funding by activity is included in the table at the end of this explanatory statement.

CENTRAL HAZARDOUS MATERIALS FUND

The agreement provides $10,010,000 for the Central Hazardous Materials Fund.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION
NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The agreement provides $7,767,000 for the Natural Resource Damage Assessment Fund. The detailed allocation of funding by activity is included in the table at the end of this explanatory statement.

WORKING CAPITAL FUND

The agreement provides $55,735,000 for the Department of the Interior, Working Capital Fund. Funds previously appropriated for the Service First initiative that are available for obligation as of the date of enactment of this Act should be utilized for needs identified in the fiscal year 2019 budget request.

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OFFICE OF NATURAL RESOURCES REVENUE

The agreement provides $137,505,000 for the Office of Natural Resources Revenue.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR (INCLUDING TRANSFERS OF FUNDS)

The agreement includes various legislative provisions affecting the Department in Title I of the bill, "General Provisions, Department of the Interior." The provisions are:

Section 101 provides Secretarial authority for the intra-bureau transfer of program funds for expenditures in cases of emergencies when all other emergency funds are exhausted.

Section 102 provides for the Department-wide expenditure or transfer of funds by the Secretary in the event of actual or potential emergencies including forest fires, range fires, earthquakes, floods, volcanic eruptions, storms, oil spills, grasshopper and Mormon cricket outbreaks, and surface mine reclamation emergencies.

Section 103 provides for the use of appropriated funds by the Secretary for contracts, rental cars and aircraft, telephone expenses, and other certain services.

Section 104 provides for the expenditure or transfer of funds from the Bureau of Indian Affairs and Bureau of Indian Education, and the Office of the Special Trustee for American Indians, for Indian trust management and reform activities.

Section 105 permits the redistribution of Tribal priority allocation and Tribal base funds to alleviate funding inequities.

Section 106 authorizes the acquisition of lands for the purpose of operating and maintaining facilities that support visitors to Ellis, Governors, and Liberty Islands.

Section 107 continues Outer Continental Shelf inspection fees to be collected by the Secretary of the Interior.

Section 108 authorizes the Secretary of the Interior to continue the reorganization of the Bureau of Ocean Energy Management, Regulation, and Enforcement in conformance with Committee reprogramming guidelines.

Section 109 provides the Secretary of the Interior with authority to enter into multi-year cooperative agreements with non-profit organizations for long-term care of wild horses and burros.

Section 110 addresses the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 111 allows the Bureau of Indian Affairs and Bureau of Indian Education to more efficiently and effectively perform reimbursable work.

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Section 112 addresses the humane transfer of excess wild horses and burros.

Section 113 provides for the establishment of a Department of the Interior Experienced Services Program.

Section 114 extends the authority for the Secretary to accept public and private contributions for the orderly development and exploration of Outer Continental Shelf resources.

Section 115 retitles the Indiana Dunes National Lakeshore and re-designates the Paul H. Douglas Trail.

Section 116 provides funding for the Payments in Lieu of Taxes (PILT) program.

Section 117 provides a technical correction.

Section 118 provides for the designation of the Peter B. Webster III Memorial Area.

Section 119 requires funds to be available for obligation and expenditure not later than 60 days after the date of enactment.

Section 120 addresses the issuance of rules for sage-grouse.

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TITLE II – ENVIRONMENTAL PROTECTION AGENCY

The bill provides $8,058,488,000 for the Environmental Protection Agency (EPA). The bill does not support reductions proposed in the budget request unless explicitly noted in the explanatory statement.

Congressional Budget Justification.—The Agency is directed to continue to include the information requested in House Report 112-331 and any proposals to change State allocation formulas that affect the distribution of appropriated funds in future budget justifications.

Reprogramming and Workforce Reshaping.—The agreement does not include any of the requested funds for workforce reshaping. Further, the Conferees do not expect the Agency to consolidate or close any regional offices in fiscal year 2019. The Agency is held to the reprogramming limitation of $1,000,000 and should continue to follow the reprogramming directives as provided in the front of this explanatory statement. It is noted that such reprogramming directives apply to proposed reorganizations, workforce restructure, reshaping, transfer of functions, or downsizing, especially those of significant national or regional importance, and include closures, consolidations, and relocations of offices, facilities, and laboratories.

Further, the Agency may not use any amount of de-obligated funds to initiate a new program, office, or initiative, without the prior approval of the Committees. Within 30 days of enactment of this Act, the Agency is directed to submit to the House and Senate Committees on Appropriations its annual operating plan for fiscal year 2019, which shall detail how the Agency plans to allocate funds at the program project level.

Other.—It is noted that the current workforce is below the prior year levels, therefore, the agreement includes rescissions in the Science and Technology and Environmental Programs and Management accounts that capture expected savings associated with such changes. The Agency is directed to apply the rescissions to reflect efficiency savings in a manner that seeks, to the extent practicable, to be proportional among program project areas. Amounts provided in this Act are sufficient to fully fund Agency payroll estimates, and the Conferees expect the Agency's fiscal year 2019 FTE target to be no less than the fiscal year 2018 levels. The Conferees understand that the Agency routinely makes funding payroll requirements a top priority and expect the Agency will continue to do so as it executes its fiscal year 2019 appropriation and applies the rescissions.

The Conferees do not expect the Agency will undertake adverse personnel actions or incentive programs to comply with the rescissions, nor do the Conferees expect the Agency will undertake large-scale adverse personnel actions or incentive programs in fiscal year 2019. As specified in the bill language, the rescissions shall not apply to the Geographic Programs, the National Estuary Program, and the National Priorities funding in the Science and Technology and Environmental Programs and

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Management accounts. The Agency is directed to submit, as part of the operating plan, details on the application of such rescissions at the program project level.

SCIENCE AND TECHNOLOGY
(INCLUDING RESCISSION OF FUNDS)

For Science and Technology programs, the bill provides $717,723,000 to be partially offset by a $11,250,000 rescission for a net discretionary appropriation of $706,473,000. The bill transfers $15,496,000 from the Hazardous Substance Superfund account to this account. The bill provides the following specific funding levels and direction:

Indoor Air and Radiation.—The bill provides $5,997,000 and funding for the radon program is maintained at not less than the fiscal year 2018 enacted level.

Research: Air and Energy.—The bill provides $94,906,000 for Research: Air and Energy. The Agency is directed to allocate up to $3,000,000 to continue supporting the Partnership Research as outlined in the explanatory statement accompanying Public Law 115-141. This jointly funded, multi-year government-industry research initiative should be used to produce credible science of national scope on such development, including review of existing exposure and health studies already underway, and future research. The Agency is encouraged to submit a report updating the Committees on the implementation of this partnership within 90 days of enactment of this Act.

Research: Chemical Safety and Sustainability.—The bill provides $126,930,000 for Research: Chemical Safety and Sustainability. Following guidance contained in the explanatory statement accompanying Public Law 115-141 and House Report 115-765, EPA also is directed to include advancement of methods to better separately evaluate chemical hazards and exposures and that take into consideration harm to potentially exposed and susceptible subpopulations.

Research: National Priorities.—The bill provides $5,000,000, which shall be used for extramural research grants, independent of the Science to Achieve Results (STAR) grant program, to fund high-priority water quality and availability research by not-for-profit organizations that often partner with the Agency. The Agency shall continue to allocate the grants in accordance with the direction provided in the explanatory statement accompanying Public Law 115-141.

Additional Guidance.—The agreement includes the following additional guidance:

Alternatives Testing.—The Agency is directed to follow the guidance contained under this heading in House Report 115-765 and to ensure that any future plans identify and address potential barriers or limitations on the use of alternative test methods, particularly as they relate to susceptible populations.

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Enhanced Aquifer Use.—The Agency is directed to continue following the guidance contained in Senate Report 114-281 in addition to the guidance contained in House Report 115-765 directing the Agency to coordinate with other Federal research efforts in this area.

Harmful Algal Blooms.—The Conferees recognize the increasing challenges many communities face from harmful algal blooms (HABs) in freshwater and coastal ecosystems. The Conferees encourage the Agency to fund research grants that help promote scientific progress towards preventing and controlling HABs, including research to: (1) determine the effectiveness of existing nutrient treatment technologies; (2) evaluate the scale-up of emerging nutrient treatment technologies and develop new technologies; and (3) develop best management practices to help both rural and urban communities control nutrients in their watersheds. Additionally, $5,000,000 is made available to investigate health effects from exposure to HABs and cyanobacteria toxins and to develop methods to monitor, characterize, and predict blooms for early action.

STAR Grants.—The bill provides funds to continue the Science to Achieve Results (STAR) program, and the Conferees direct the Agency to distribute grants consistent with fiscal year 2018.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT
(INCLUDING RESCISSION OF FUNDS)

For Environmental Programs and Management, the bill provides $2,658,200,000 to be partially offset by a $60,201,000 rescission for a net discretionary appropriation of $2,597,999,000. The bill provides the following specific funding levels and direction:

Clean Air. —The bill provides $273,108,000 for Clean Air. The Conferees continue to support the EnergySTAR program for both appliances and buildings at the fiscal year 2018 enacted level and do not recommend a shift to fee-based funding, as proposed. The Conferees are concerned that litigation over non-compliance of voluntary EnergySTAR efficiency standards, which can be the result of a standard that has changed, may lead some participants to avoid participating in the program. The Conferees also are aware of the need for products carrying the EnergySTAR label to achieve the required efficiency levels to best benefit consumers. The Conferees direct the Agency to evaluate how the Agency may balance these interests to ensure that the EnergySTAR program is both fair to voluntary participants and reliable for consumers and to report back to the Conferees within 180 days of the enactment of this Act. The Conferees also fund both program areas related to stratospheric ozone at not less than the fiscal year 2018 enacted level.

Environmental Protection: National Priorities.—The bill provides $15,000,000 for a competitive grant program for qualified non-profit organizations, excluding institutions of higher education, to

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provide technical assistance for improved water quality or safe drinking water and adequate waste water to small systems or individual private well owners. The Agency shall provide $12,300,000 for Grassroots Rural and Small Community Water Systems Assistance Act, for activities specified under section 1442(e) of the Safe Drinking Water Act (42 U.S.C. 300j-1(e)(8)). The Agency also is directed to provide $1,700,000 for grants to qualified not-for-profit organizations for technical assistance for individual private well owners, with priority given to organizations that currently provide technical and educational assistance to individual private well owners. The Agency is directed to provide, on a national and multi-State regional basis, $1,000,000 for grants to qualified organizations for the sole purpose of providing on-site training and technical assistance for wastewater systems. The Agency shall require each grantee to provide a minimum 10 percent match, including in-kind contributions. The Agency is directed to allocate funds to grantees within 180 days of enactment of this Act.

The Conferees remain concerned that the Agency made a decision to put out a multi-year Request for Applications for fiscal year 2017 and 2018 without the expressed approval of the Committees. The Agency is directed to obtain approval from the Committees for any similar activity in the future.

Geographic Programs.—The bill provides $456,958,000, as described in the table at the end of this division, and includes the following direction:

Great Lakes Restoration Initiative.—The bill provides $300,000,000. The Agency shall continue to follow the direction as provided in House Report 112-589 and in Senate Report 115-276 related to the Great Lakes Restoration Initiative.

Chesapeake Bay.—The bill provides $73,000,000 for the Chesapeake Bay program. From within the amount provided, $6,000,000 is for nutrient and sediment removal grants and $6,000,000 is for small watershed grants to control polluted runoff from urban, suburban, and agricultural lands.

Gulf of Mexico.—The bill provides $14,542,000 for the Gulf of Mexico Geographic Program where hypoxia is a growing cause for concern. The Conferees direct the Agency to coordinate with the U.S. Department of Agriculture, the Gulf States, and State, local, and private partners to leverage additional resources for conservation projects on working lands within the Gulf Region and Mississippi River Basin. The Agency is directed to distribute funds in the same manner as fiscal year 2018.

Lake Champlain.—The bill provides $11,000,000 for the Lake Champlain program. From within the amount provided, $4,399,000 shall be allocated in the same manner as fiscal year 2017. Funds appropriated above $4,399,000 shall be for otherwise unmet needs necessary to implement the EPA's 2016 Phosphorus Total Maximum Daily Load Plan for Lake Champlain for projects and work identified in the State implementation plan.

Puget Sound.—The bill provides $28,000,000. The Agency shall follow the direction under this heading in House Report 115-765.

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Northwest Forest Program.—The agreement maintains funding to support the Northwest Forest program at not less than the fiscal year 2018 funding level.

South Florida Program.—The bill provides $3,204,000 for the South Florida program, an increase of $1,500,000 above the enacted level. Within the increase, the Conferees provide $500,000 to monitor coral health in South Florida; $500,000 to enhance water quality and seagrass monitoring in the Caloosahatchee Estuary and Indian River Lagoon, especially with respect to assessing the impact of Lake Okeechobee discharges; and $500,000 to enhance water quality and seagrass monitoring in Florida Bay and Biscayne Bay, especially with respect to assessing the impact of Everglades Restoration projects.

Columbia River Basin Restoration Program.—The bill provides $1,000,000 for the purpose of commencing implementation of the Columbia River Basin Restoration Program, which was authorized in Public Law 114-322.

Indoor Air and Radiation.—The agreement maintains funding for the radon program at the fiscal year 2018 enacted level. Funds have been included for the Radiation Protection and Reduce Risks from Indoor Air programs.

Information Exchange/Outreach.—The agreement includes funding for Tribal capacity building equal to the fiscal year 2018 enacted level. The Agency is directed to use environmental education funds for the smart skin care program, similar to prior years. The agreement also provides for the Small Minority Business Assistance program to be continued.

International Programs.—The bill provides $15,400,000 for International Programs, which includes funds for the U.S.-Mexico Border program at the fiscal year 2018 enacted level.

Resource Conservation and Recovery Act.—The bill provides $112,377,000, an increase of $3,000,000 above the fiscal year 2018 enacted level. Of the funds provided under this section, not less than $8,000,0000 should be allocated for the purpose of developing and implementing a Federal permit program for the regulation of coal combustion residuals in nonparticipating States, as authorized under section 4005(d)(2)(B) of the Solid Waste Disposal Act (42 U.S.C. 6945(d)(2)(B)).

Additionally, the Conferees continue the Waste Minimization and Recycling program and have provided $1,000,000 to help public entities demonstrate community anaerobic digester applications to municipal solid waste streams and farm needs, such as capturing excess phosphorus.

Toxics Risk Review and Prevention.—The bill provides $92,521,000 for toxics risk review and prevention activities and maintains funding for the Pollution Prevention program and the Lead Risk Reduction program.

Water: Ecosystems.—The bill provides $47,788,000. Within the amount provided, $26,723,000 has been provided for National Estuary Program (NEP) grants as authorized by section 320 of the Clean

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Water Act. This amount is sufficient to provide each of the 28 national estuaries in the program with a grant of at least $600,000.

Further, in the Administrative Provisions section, the Conferees direct that $1,000,000 in competitive grants be made available for additional projects and encourage the Agency to work in consultation with the NEP directors to identify worthy projects and activities. In particular, the Conferees encourage the Agency to utilize a portion of these funds to address harmful algal blooms along the Gulf Coast of Florida.

Water Quality Protection.—The bill provides $210,917,000 for Water Quality Protection and maintains funding for the WaterSENSE program and the Urban Waters program at the fiscal year 2018 enacted level. In addition, an increase of $500,000 is provided for the Agency to carry out the Clean Watershed Needs Survey. The Conferees expect the Agency to request annual funding for the Clean Watershed Needs Survey and the Drinking Water Infrastructure Needs Survey, alternating fiscal years as appropriate.

Additional Guidance.—The agreement includes the following additional guidance:

Chesapeake Bay.—The Conferees encourage the Agency to maintain a cooperative relationship with relevant States to ensure best practices are used to promote the continued health and preservation of the Chesapeake Bay Watershed.

Community Affordability Study.—The Conferees are concerned about the Environmental Protection Agency's continued emphasis on the metric of 2 percent of median house income for determining community affordability and encourage the Agency to continue ongoing efforts to publish a new affordability methodology for use in updating all relevant EPA guidance.

Diesel Generators in Remote Alaska Villages.—The Agency is directed to continue following the guidance contained in the explanatory statement accompanying Public Law 115-141.

Exempt Aquifers.—For fiscal year 2019, the Conferees anticipate that the Agency will continue to receive exempt aquifer applications from the State of California for processing and approval. The Conferees continue to support protecting underground sources of drinking water and promoting robust economic development. Accordingly, the Agency is urged to work expeditiously to process exempt aquifer applications and use the existing regulatory framework to process these applications as provided in House Report 114-170 and House Report 114-632.

Fish Grinding.—The Agency is directed to continue following the guidance contained in the explanatory statement accompanying Public Law 115-141.

Great Lakes Advisory Board.—The Conferees encourage the Agency to reestablish the Great Lakes Advisory Board without significantly restructuring the member composition or objectives of the Great Lakes Advisory Board, as described in the Great Lakes Advisory Board charter dated June 13,

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2016. If the Advisory Board is not reestablished within 60 days of enactment this Act, the Agency shall provide the House and Senate Interior Appropriations Subcommittees with a report that explains the reason for the delay and a timeline for reestablishing the Advisory Board.

IG Recommendations on Flint Water Crisis.—The Agency is directed to implement the recommendations described in the report of the Office of Inspector General of the Environmental Protection Agency entitled "Management Weakness Delayed Response to Flint Water Crisis", numbered 18–P–0221, and dated July 19, 2018, to ensure clean and safe water compliance under the Safe Drinking Water Act (42 U.S.C. 300f et seq.). If the Agency does not implement one or more of such recommendations, it is required to submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Energy and Commerce of the House of Representatives a report explaining why the Agency did not implement the recommendation, as well as identifying specific actions the Agency is implementing to address the concerns raised in the report.

Lead and Other Hazardous Materials.—The Agency is directed to follow directives included in Senate Report 115-276 regarding standards for the identification of lead hazards. In addition, within 180 days after enactment, the Comptroller General of the United States shall issue a report on efforts by the Department of Housing and Urban Development (HUD) and EPA relating to the removal of lead-based paint and other hazardous materials. The report must include: (1) a description of direct removal efforts by HUD and EPA; (2) a description of education provided by HUD and EPA to other Federal agencies, local governments, communities, recipients of grants made by either entity, and the general public relating to the removal of lead-based paint and other hazardous materials; (3) a description of assistance received from other Federal agencies relating to the removal of lead-based paint and other hazardous materials; and (4) any best practices developed or provided by HUD and EPA relating to the removal of lead-based paint and other hazardous materials.

Pesticide Registration Improvement Act.—The Agency is directed to follow the guidance contained under this heading in Senate Report 115-276.

PFOA/PFAS.—The Conferees are aware that the Agency has announced plans to take the next step under the Safe Drinking Water Act process to evaluate the need for a maximum contaminant level for per- and polyfluoroalkyl substances. The Conferees support this action and urge the Agency to act expeditiously on this matter. The Conferees direct the Agency to brief the Committees within 60 days of enactment of this Act about its plans for this action.

Regulation of Groundwater.—The Agency is directed to continue following the guidance contained in the explanatory statement accompanying Public Law 115-141. The Conferees reiterate that, since enactment in 1972, the Clean Water Act (CWA) has regulated effects to navigable waters, while regulation of groundwater has remained outside of the Act's jurisdiction. Instead, legislative history

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surrounding the CWA indicates that Congress intended for groundwater pollution to be regulated through the CWA's nonpoint source program and other Federal and State laws.

Small Refinery Relief.—The Conferees continue the directive contained in Senate Report 114–281 related to small refinery relief. The Agency is reminded that, regardless of the Department of Energy's recommendation, additional relief may be granted if the Agency believes it is warranted.

Toxic Substances Control Act (TSCA) Modernization.—The bill includes language that will enable EPA to collect and spend new fees to conduct additional chemical reviews, consistent with TSCA modernization legislation. Those fees are expected to be $27,000,000 per year once the program is fully implemented. The Congressional Budget Office estimates that in fiscal year 2019 fee collections will begin several months after the beginning of the fiscal year and will total $5,000,000.

Transparency of Public Calendars.—It is appreciated that the EPA has recently taken steps to improve transparency of the daily calendars of the Agency's senior leaders. The Agency is directed to continue to take all necessary steps to comply with Senate Report 115-276 as it relates to the transparency of public calendars.

Vehicle Idling Training.—The Conferees note that diesel vehicle operators and businesses in the private sector have reduced their vehicle fleet costs and improved air quality by participating in programs that offer certifications for idle reduction and fuel efficient driving programs. The Agency is directed to conduct a cross-agency analysis to determine which branches of government could achieve savings and improve air quality by engaging in external programs, including university extension programs that offer this training.

Water Quality Certification.—The Conferees encourage the Administrator to finalize guidance on the implementation of Clean Water Act Section 401 (33 U.S.C. 1341).

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

The bill provides $8,000,000, which is expected to be fully offset by fees for a net appropriation of $0.

OFFICE OF INSPECTOR GENERAL

The bill provides $41,489,000 for the Office of Inspector General.

BUILDINGS AND FACILITIES

The bill provides $34,467,000 for Buildings and Facilities.

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HAZARDOUS SUBSTANCE SUPERFUND
(INCLUDING TRANSFERS OF FUNDS)

The bill provides $1,091,947,000 for the Hazardous Substance Superfund account and includes bill language to transfer $8,778,000 to the Office of Inspector General account and $15,496,000 to the Science and Technology account. When combined with an additional $60,000,000 for the Superfund Remedial program and an additional $8,000,000 for the Superfund Emergency Response and Removal program in a general provision in Title IV, the bill provides a total of $1,159,947,000 for the Hazardous Substance Superfund. The bill provides the following additional direction:

Enforcement.—The agreement provides $166,375,000 for Superfund enforcement, equal to the fiscal year 2018 enacted level. The Agency is directed to continue financial support for the Department of Justice (DOJ) in fiscal year 2019 at a level that will ensure DOJ can continue to initiate and prosecute civil, judicial, and administrative site remediation cases and ensure that responsible parties perform cleanup actions at sites where they are liable.

Superfund Cleanup.—The agreement provides $721,740,000, which is equal to the fiscal year 2018 enacted level. When combined with an additional $68,000,000 in funds for the Remedial Program and Emergency Response and Removal activities, included in a Title IV general provision, the bill provides a total of $789,740,000 for Superfund cleanup.

The Conferees also direct the Agency, within 180 days of enactment of this Act, to submit a report on the status of each time-critical removal action for which Federal funds greater than $1,000,000 have been expended since January 1, 2017, along with information on the Federal cost of clean-up efforts, whether responsible parties have faced criminal charges, and the amount of recovered Federal dollars.

Sediment Guidance.—The Agency is directed to follow the guidance contained under this heading in Senate Report 115-276.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

The bill provides $91,941,000 for the Leaking Underground Storage Tank Trust Fund Program.

INLAND OIL SPILL PROGRAMS

The bill provides $18,209,000 for Inland Oil Spill Programs.

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STATE AND TRIBAL ASSISTANCE GRANTS

The bill provides $3,605,041,000 for the State and Tribal Assistance Grants program and includes the following specific funding levels and direction:

Infrastructure Assistance.—The bill provides $2,528,000,000 in base funds for infrastructure assistance. When combined with an additional $665,000,000 included in a Title IV general provision, the bill provides a total of $3,193,000,000 for infrastructure assistance. The amount provided increases funding for the State Revolving Loan Funds $880,000 above the fiscal year 2018 enacted level. The agreement includes a total of $1,694,000,000 for the Clean Water State Revolving Loan Fund and $1,164,000,000 for the Drinking Water State Revolving Loan Fund.

Assistance to Small and Disadvantaged Communities.—Within a Title IV general provision, the bill provides $25,000,000 to continue a grant program to help small and disadvantaged communities develop and maintain adequate water infrastructure. The program was created in section 2104 of Public Law 114–322. The Agency is directed to brief the Committees prior to publishing its request for applications for this new grant program.

Reducing Lead in Drinking Water.—Within a Title IV general provision, the bill provides $15,000,000 to continue a grant program, created in section 2105 of Public Law 114-322, to provide assistance to eligible entities for lead reduction projects. The Agency is directed to brief the Committees prior to publishing its request for applications related to this new grant program.

Lead Testing.—Within a Title IV general provision, the bill provides $25,000,000 to continue a grant program for voluntary testing of drinking water for lead contaminants at schools and child care facilities, as authorized in section 2107 of Public Law 114-322. The Agency is directed to brief the Committees prior to publishing its request for applications related to this new grant program.

Brownfields Program.—The bill provides $87,000,000 for Brownfields grants and directs that at least 10 percent of such grants be provided to areas in which at least 20 percent of the population has lived under the poverty level over the past 30 years as determined by censuses and the most recent Small Area Income and Poverty Estimates.

Use of Iron and Steel.—The bill includes language in Title IV General Provisions that stipulates requirements for the use of iron and steel in State Revolving Fund projects. The agreement includes only the following guidance. The Conferees acknowledge that EPA may issue a waiver of said requirements for *de minimis* amounts of iron and steel building materials. The Conferees emphasize that any coating processes that are applied to the external surface of iron and steel components that otherwise qualify under the procurement preference shall not render such products ineligible for the procurement preference

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regardless of where the coating processes occur, provided that final assembly of the products occurs in the United States.

Diesel Emission Reductions Grants (DERA).—The bill provides $87,000,000 for DERA grants. For fiscal year 2019, the Conferees direct the Agency to continue to make at least 70 percent of DERA grants available to improve air quality in non-attainment areas.

Targeted Airshed Grants.—The bill provides $52,000,000 for Targeted Airshed Grants. These grants shall be distributed on a competitive basis to non-attainment areas that EPA determines are ranked as the top five most polluted areas relative to annual ozone or particulate matter 2.5 standards, as well as the top five areas based on the 24-hour particulate matter 2.5 standard where the design values exceed the 35 mg/m3 standard. To determine these areas, the Agency shall use the most recent design values calculated from validated air quality data. The Conferees note that these funds are available for emission reduction activities deemed necessary for compliance with national ambient air quality standards and included in a State Implementation Plan submitted to EPA. Not later than the end of fiscal year 2019, EPA should provide a report to the Committees that includes a table showing how fiscal year 2017 and 2018 funds were allocated. The table also should include grant recipients and metrics for anticipated or actual results.

Animas River Spill.—EPA is directed to follow directives included in Senate Report 115-276 related to the Animas River and the Gold King Mine spill. In addition, the bill provides $4,000,000 for fiscal year 2019 for long-term water quality monitoring of the Animas River.

Categorical Grants.—The bill provides $1,077,041,000 for Categorical Grants. Funding levels are specified in the table at the end of this division. Within this amount, the Beaches Protection program and Radon program are both maintained at the fiscal year 2018 enacted levels. The Agency shall continue to allocate radon grants in fiscal year 2019 following the direction in House Report 114-632.

Categorical Grant: State and Local Air Quality Management.—The bill provides $228,219,000. The Agency is directed to allocate funding follow the guidance contained in Senate Report 115-276.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

The bill provides a total of $68,000,000 for the Water Infrastructure Finance and Innovation Act (WIFIA) program. Within base funding in Title II, the bill provides $10,000,000 for the WIFIA program, and a Title IV general provision provides an additional $58,000,000 for the program. By utilizing $5,000,000 in base funds and $3,000,000 in Title IV funds, the Agency may use up to a total of $8,000,000 to assist with the administrative expenses for the program. The remaining $60,000,000 in

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WIFIA funds is provided to subsidize direct loans, which may translate into a potential loan capacity greater than $7,000,000,000 for eligible entities for water infrastructure projects.

The Conferees encourage the Agency to prioritize applications for WIFIA financing for projects that address lead and emerging contaminants, including PFOA and PFAS.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

The bill continues several administrative provisions from previous years.

Rescission.—The bill rescinds $139,078,000 in unobligated balances from the State and Tribal Assistance Grants account. The Agency shall calculate the requisite percent reduction necessary to rescind such amounts from new obligational authority provided to this account, both from the direct appropriation and from amounts provided in a general provision in Title IV, and apply it across program project areas by formula. The Agency is directed to submit, as part of the operating plan, detail on the application of such rescissions by program project area.

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TITLE III – RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The bill provides $875,000 for the Office of the Under Secretary for Natural Resources and Environment.

Forest Service Accounting, Budgeting, and Management.—The Conferees appreciate the Service's efforts to improve its accounting, budgeting, and management practices and look forward to working with the Service, Office of Budget and Program Analysis, Under Secretary for Natural Resources and Environment, and Secretary of Agriculture to continue these improvements. The Conferees are particularly interested in the Service's plan to transition away from Cost Pools and remind the Service that a plan is required within 180 days of enactment of P.L. 115-141.

Forest Service Directives.—The Forest Service is reminded of the importance of the directives included in the explanatory statement to accompany P.L. 115-141, House Report 115-765, and Senate Report 115-276 that are not specifically addressed herein, as well as the new directives in this statement, including the front matter.

Wildland Fire Management.—The Consolidated Appropriations Act, 2018 (P.L. 115-141) provided a budget cap adjustment for wildfire suppression costs and included forest management reforms. The Conferees remind the Service and the Secretary of Agriculture of the multi-year effort to achieve these budget and legislative changes and expect that all authorities will be appropriately used to improve the condition of the Nation's forests, as well as the ability of the Service to proactively manage and sustain them for future generations. The Conferees also remind the Service of their expectations for more accurate accounting for wildfire suppression costs, especially in light of the availability of the cap adjustment in fiscal year 2020. The Conferees are hopeful that the Secretary's Shared Stewardship initiative will result in better forest management, healthier forests, and an increase in the number of fire-adapted communities.

Report on Partnerships.—Within 180 days of enactment of this Act, the Conferees request a detailed report on the funding the Service has provided to the National Forest Foundation and National Fish and Wildlife Foundation for each of the past 10 fiscal years. The report also should include information on the specific projects and activities, other partners involved, and the Foundations' administrative operations that were supported by these funds.

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Conservation Finance.—The Conferees encourage the Service to continue conservation finance efforts to leverage non-Federal investments in outcome-focused projects, promote collaboration with public and private sector partners, and utilize new tools to accelerate the pace and scale of forest management activities.

Reprogramming.—The Conferees remind the Service to follow the letter and spirit of the reprogramming requirements in this explanatory statement and direct the Service to submit requests through the Office of Budget and Program Analysis.

FOREST AND RANGELAND RESEARCH

The agreement provides $300,000,000 for Forest and Rangeland Research. This includes $223,000,000 for base research activities and $77,000,000 for Forest Inventory and Analysis. The Service is directed to provide $3,000,000 to the Joint Fire Science Program for fiscal year 2019.

The Conferees note the interest of Members of Congress, States, forestry and research associations, industry, and researchers in the Service's various research programs, projects, and activities. The Conferees believe Congress should broadly define the highest priority research goals, and that the Service should formulate the specific programs, projects, and activities to achieve them. The Conferees expect the Service to complete the review and restructuring of the research program, as directed by House Report 115-765 and Senate Report 115-276, prior to the end of the second quarter of fiscal year 2019. The Conferees look forward to reviewing the Service's plan for strengthening its research program and note that they will adjust the directions regarding forestry research as needed in the future.

The Conferees direct the Service to prioritize data collection and analysis on U.S. forests; research to support land affected by wildland fire; post-fire analysis; research to support the National Forest System; and research related to forest products for fiscal year 2019.

The Service is directed to provide information to the Committees regarding the mission of the Southern Research Station Pineville Research Facility and the viability of continued wood utilization research at that site within 60 days of enactment of this Act.

The Service is directed to provide a report regarding its current and planned research on issues and risks related to firefighter health and safety in wildlands and wildland urban interface within 90 days of enactment of this Act. The report should include detailed budget information and identify gaps in knowledge and potential remedies to address them.

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STATE AND PRIVATE FORESTRY
(INCLUDING RESCISSION OF FUNDS)

The agreement provides $335,487,000 for State and Private Forestry.

Cooperative Forestry Activities.—The Conferees direct the Service to continue focus on spruce beetle, Emerald Ash Borer, and bark beetle infestations, which affect forests throughout the Nation.

The Service is expected to follow the Senate direction on wood energy technical assistance, herein.

Forest Legacy.—The bill provides $63,990,000 for the Forest Legacy program. This includes $6,400,000 for program administration and $57,590,000 for projects. The Service should fund projects in priority order according to the updated, competitively selected national priority list submitted to the Committees and the directive contained in Division G of the explanatory statement accompanying Public Law 115–141, the Consolidated Appropriations Act, 2018. The Conferees include a rescission of $1,503,000 in Forest Legacy funds. This funding rescission is from cost savings of some projects and funds returned from failed or partially failed projects.

The Conferees are concerned with the Service's ability to provide timely information on project status and available balances and expect the Service to be able to provide this information expeditiously moving forward. Ensuring project recordkeeping is accurate must be a top priority in fiscal year 2019.

NATIONAL FOREST SYSTEM

The agreement provides $1,938,000,000 for the National Forest System.

Hazardous Fuels.—The agreement provides $435,000,000 for hazardous fuels management activities within the National Forest System account. Included in this amount is $3,000,000 for the Southwest Ecological Restoration Institutes.

Ouachita National Forest.—The Service is directed to conduct an inventory and evaluation of land generally depicted on the map entitled "Flatside Wilderness Adjacent Inventory Area", dated November 30, 2017, to determine the suitability of that land for inclusion in the National Wilderness Preservation System.

Gifford Pinchot National Forest.—In lieu of the directive in House Report 115-765, the Conferees encourage the Service and all interested parties to work together regarding the use of all-terrain vehicles in the forest.

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CAPITAL IMPROVEMENT AND MAINTENANCE
(INCLUDING TRANSFER OF FUNDS)

The agreement provides $446,000,000 for Capital Improvement and Maintenance programs.

Legacy Roads and Trails.— While these projects are to be addressed as they rank in priority along with other infrastructure needs, the Service is directed to continue to track Legacy Roads and Trails accomplishments, including miles of roads and trails improved, miles of streams restored, number of bridges and culverts constructed, and miles of road decommissioned.

Requested Reports.—The Conferees request a report regarding options to improve parking and access to the Cleveland National Forest within 180 days of enactment of this Act. The Service should consult with the State of California, communities surrounding the forest, and private partners for their input and recommendations. The Conferees also request a report on its efforts to address road construction and maintenance issues in the Uwharrie National Forest within 30 days of enactment of this Act.

Comprehensive Capital Improvement Plan.—The Service is reminded of the directive included in the explanatory statement accompanying P.L. 115-141 that required the development of a long-term, multi-year plan to guide needed investments in buildings, facilities, transportation systems, and other infrastructure by December 30, 2018. The Conferees look forward to reviewing the plan and expect the Service to utilize the plan in formulating future budget requests. The annual budget justification documents should detail the amounts requested for new construction, maintenance, decommissioning, and other activities for the Facilities, Roads and Trails programs.

LAND ACQUISITION

The agreement provides $72,564,000 for Land Acquisition. The amounts provided by this bill for projects are shown in the table below, listed in priority order pursuant to the project list received for fiscal year 2019. The agreement supports the continuation of Forest Service and nonprofit partner efforts to resolve Superior National Forest school trust land management using the private forestland alternative. Further instructions are contained under the Land and Water Conservation Fund heading in the front of this explanatory statement.

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State	Project	Forest Unit	This Bill
MT	Beavertail to Bearmouth	Lolo	$3,800,000
CA	Sierra Nevada Checkerboard	Tahoe/El Dorado	2,500,000
OR	Wasson Creek	Siuslaw	3,422,000
MN	MN School Trust Lands	Superior	5,000,000
OH	Appalachian Foothills	Wayne	1,800,000
CA	Trinity Divide-Pacific Crest NST	Shasta-Trinity	3,200,000
AK	Cube Cove	Tongass	5,200,000
WA	Washington Cascades/Yakima River	Okanogan-Wenatchee	4,000,000
MT	Swan Range	Lolo	4,000,000
VT	Rolston Rest	Green	2,700,000
SD	Spring Creek	Black Hills	1,410,000
CO	Union Creek	Grand Mesa/Uncompahgre/Gunnison	2,000,000
AZ	Verde River String of Pearls	Coconino/Prescott	3,430,000
NC	North Carolina Threatened Treasures	Nanatahala/Pisgah/Uwharrie	750,000
TN	Tennessee Mountain Trails and Waters	Cherokee	850,000
MT	Clearwater-Blackfoot Project	Lolo	5,000,000
VA/WV	George Washington and Jefferson NF	George Washington and Jefferson	1,000,000
CA	Sanhedrin	Mendocino	3,900,000
SC	Promise of the Piedmont	Sumter	2,000,000
AL	Alabama's Wild Wonders	National Forests of Alabama	2,000,000
	Subtotal, FS Land Acquisitions		57,962,000

		Budget Request	This Bill
	Acquisition Management	0	7,352,000
	Recreational Access	0	5,000,000
	Critical Inholdings/Wilderness	0	2,000,000
	Cash Equalization	0	250
	Rescission of Funds	-17,000,000	0
	Total, FS Land Acquisition	-17,000,000	72,564,000

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The agreement provides $700,000 for the Acquisition of Lands for National Forests Special Acts.

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ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The agreement provides $150,000 for the Acquisition of Lands to Complete Land Exchanges.

RANGE BETTERMENT FUND

The agreement provides $1,700,000 for the Range Betterment Fund.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

The agreement provides $45,000 for Gifts, Donations and Bequests for Forest and Rangeland Research.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

The agreement provides $2,500,000 for the Management of National Forest Lands for Subsistence Uses.

WILDLAND FIRE MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

The agreement provides a total of $3,004,986,000 for Forest Service Wildland Fire Management. Of the funds provided, $1,665,366,000 is for suppression operations, which includes an additional $500,000,000 above the 10-year average.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES
INDIAN HEALTH SERVICE
INDIAN HEALTH SERVICES

The bill provides a total of $5,804,223,000 for the Indian Health Service (IHS), of which $4,103,190,000 is for the Services account as detailed below. All programs, projects, and activities are maintained at fiscal year 2018 enacted levels unless otherwise specified below. The Service is expected to comply with the instructions and requirements at the beginning of this division and in House Report 115-765 and Senate Report 115-276, unless otherwise specified below. Additional details, instructions, and requirements follow below and in the table at the end of this division.

Staffing for New Facilities.—The agreement includes $103,931,000 for staffing newly opened health facilities, which is the full amount based upon updated estimates provided to the Committees. Funds for the staffing of new facilities are limited to facilities funded through the Health Care Facilities Construction Priority System or the Joint Venture Construction Program that have opened in fiscal year 2018 or will open in fiscal year 2019. None of these funds may be allocated to a facility until such facility has achieved beneficial occupancy status.

Hospitals and Health Clinics.—The agreement provides $2,147,343,000 for hospitals and health clinics, and includes $36,000,000 for operations and maintenance of village built and tribally leased clinics, and $4,000,000 for domestic violence prevention. The Conferees are aware of ongoing litigation between the Cherokee Nation and the United Keetoowah Band of Cherokee Indians. The Conferees are neutral on this matter and have provided the request of $1,969,000 for new Tribes. The agency is expected to consult with both parties before disbursing funds.

Dental Health.—The agreement provides $204,672,000 for dental health and includes the requested transfer of $800,000 from direct operations. The Service is directed to backfill vacant dental health positions in headquarters.

Mental Health.—The agreement provides $105,281,000 for mental health programs and includes $6,946,000 to continue behavioral health integration and $3,600,000 to continue the suicide prevention initiative.

Alcohol and Substance Abuse.—The agreement provides $245,566,000 for alcohol and substance abuse programs and includes: $6,500,000 for the Generation Indigenous initiative; $1,800,000 for the youth pilot project; and $2,000,000 to fund essential detoxification and related services provided by the Service's public and private partners to IHS beneficiaries. The Conferees expect the Service to continue its partnership with the Na' Nizhoozhi Center in Gallup, New Mexico, as directed by the Consolidated Appropriations Act, 2017, and to distribute funds provided for detoxification services in the same manner

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as in fiscal year 2017. The Conferees believe that Service and Tribally operated facility participation in state prescription drug monitoring programs can help to combat the abuse of drugs like opioids and direct the agency to provide the report required by Senate Report 115-276 on this issue.

Opioid Grants.—To better combat the opioid epidemic, the Conferees have included an increase of $10,000,000 and instruct the Service, in coordination with the Assistant Secretary for Mental Health and Substance Use, to use the additional funds provided above the fiscal year 2018 level to create a Special Behavioral Health Pilot Program modeled after the Special Diabetes Program for Indians. This Special Behavioral Health Pilot Program for Indians shall be developed after appropriate Tribal consultation and should support the development, documentation, and sharing of more locally-designed and culturally appropriate prevention, treatment, and aftercare services for mental health and substance use disorders in Tribal and urban Indian communities. The Director of the Indian Health Service, in coordination with the Assistant Secretary for Mental Health and Substance Use, shall award grants for providing services, and provide technical assistance to grantees under this section to collect and evaluate performance of the program.

Purchased/Referred Care.—The Conferees recognize the strong need for Purchased/Referred Care funding across Indian Country, particularly in areas that lack Indian Health Service facilities. The Conferees further recognize the Service's continued pro rata allocation of any increases provided for population growth and inflation, regardless of any population growth or cost-of-living differences among areas, as documented by the Government Accountability Office (GAO-12-466). Consistent with GAO recommendations, the Conferees encourage the Service to consider allocating any future budget increases using the allocation formula established in consultation with the Tribes.

Urban Indian Health.—The agreement provides $51,315,000 for urban Indian health and includes a $2,000,000 general program increase. The Service is expected to continue to include current services estimates for urban Indian health in future budget requests.

Indian Health Professions.—The agreement provides $57,363,000 for Indian health professions and includes bill language allowing up to $44,000,000 for the loan repayment program. The agreement provides an increase of $195,000 to expand the Indians into Medicine program to four sites. Funding for the Quentin N. Burdick American Indians into Nursing Program and the American Indians into Psychology Program is continued at no less than the fiscal year 2018 enacted levels.

Maternal and Child Health. —The Conferees support the hiring of a national maternal/child health coordinator as a top priority for the Office of Clinical and Preventive Services and await the report required in House Report 115-765.

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CONTRACT SUPPORT COSTS

The bill continues language from fiscal year 2018 establishing an indefinite appropriation for contract support costs estimated to be $822,227,000, which is equal to the request. By retaining an indefinite appropriation for this account, additional funds may be provided by the agency if its budget estimate proves to be lower than necessary to meet the legal obligation to pay the full amount due to Tribes. The Conferees believe fully funding these costs will ensure Tribes have the necessary resources they need to deliver program services efficiently and effectively.

INDIAN HEALTH FACILITIES

The bill provides $878,806,000 for Indian Health Facilities. All programs, projects, and activities are maintained at fiscal year 2018 enacted levels unless otherwise specified below.

Staffing for New Facilities.—The agreement includes $11,302,000 for staffing newly opened health facilities, which is the full amount based upon updated estimates provided to the Committees. The stipulations included in the "Indian Health Services" account regarding the allocation of funds pertain to this account as well.

Health Care Facilities.—The Conferees remain dedicated to providing access to health care for IHS patients across the system. IHS is expected to aggressively work down the current Health Facilities Construction Priority System list. In addition, within 180 days of enactment of this Act, the Service is directed to publish the gap analysis directed by House Report 115-238 so that the Committees can more accurately determine facilities needs across the IHS system.

Indian Health Care Improvement Act Demonstration Authorities.—The Conferees direct the Service to provide a report within 180 days of enactment of this Act identifying the criteria the agency will use for ranking projects funded through demonstration authorities provided in the most recent reauthorization of the Indian Health Care Improvement Act should funds become available in future fiscal years. The Service is encouraged to consider as one factor the location of existing or proposed facilities and the distance that patients must travel to receive the same or similar services.

Health Facilities Requirements in Alaska.—The Service is directed to work with appropriate Tribal organizations and submit a report to the Committees within 180 days of this Act that includes an assessment of updated facilities needs in the State of Alaska as well as recommendations for alternative financing options which could address the need for additional health care facilities space suitable to meet the current and future health care needs of IHS beneficiaries in the State.

AMERICAN OVERSIGHT

NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The agreement provides $79,000,000 for the National Institute of Environmental Health Sciences. This includes an increase of $1,500,000 for the Superfund Research Program and $151,000 for the Worker Training Program.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY
TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

The agreement provides $74,691,000 for the Agency for Toxic Substances and Disease Registry.

The Conferees direct the Agency to focus on its core mission of assessing hazardous exposures and understand the Agency does not consider the presence or absence of litigation when evaluating the need for a public health assessment. The Conferees encourage the Agency to maintain professional and scientific independence regarding its selection of sites for assessment while following its statutory mandate to work with communities.

Areas with High Incidence of Pediatric Cancer.—Within 180 days of enactment, ATSDR, in consultation with other components of the Department of Health and Human Services (HHS), is directed to submit to the Senate Appropriations and Health, Education, Labor, and Pensions Committees and House Appropriations and Energy and Commerce Committees a report that provides details on the geographic variation in pediatric cancer incidence in the United States. Such report must include: (1) the types of pediatric cancer within each of the 10 States with the highest age-adjusted incidence rate of cancer among persons less than 20 years old; (2) geographic distribution of pediatric cancer types within each such State, in accordance with Centers for Disease Control and Prevention guidelines; and (3) an update on current activities related to pediatric cancer, including with respect to carrying out section 399V-6 of the Public Health Service Act (42 U.S.C. 280g-17). In addition, HHS is encouraged to conduct public outreach, in collaboration with State departments of health, particularly in the 10 States with the highest age-adjusted incidence rate of cancer among persons aged less than 20 years old, to improve awareness by residents, clinicians, and others, as appropriate, of possible contributing factors to pediatric cancer, including environmental exposures, in a manner that is complementary of, and does not conflict with, ongoing pediatric cancer-related activities supported by HHS. Finally, the Secretary of HHS is directed to ensure that all information with respect to patients that is contained in the reports under this section is de-identified and protects personal privacy of such patients in accordance with applicable Federal and State privacy law.

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OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

The agreement provides $2,994,000 for the Council on Environmental Quality and Office of Environmental Quality.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

The agreement provides $12,000,000 for the Chemical Safety and Hazard Investigation Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill provides $8,750,000 for the Office of Navajo and Hopi Indian Relocation (ONHIR), of which $1,000,000 is to be transferred to the Department of the Interior, Office of Inspector General, for a comprehensive audit of ONHIR's finances and any related investigations that are necessary in preparation for the eventual transfer of responsibilities to the Department when ONHIR closes.

The agreement continues the direction provided in the explanatory statement accompanying Division G of the Consolidated Appropriations Act, 2017, P.L. 115-31. The Conferees remain committed to bringing the relocation process to an orderly conclusion and ensuring all eligible relocatees receive the relocation benefits to which they are entitled. Consultation with all affected parties and agencies is the key to a transparent, orderly closeout. The statute provides for termination of ONHIR when the President determines its functions have been fully discharged. That determination requires development of a comprehensive plan. The Conferees expect to receive a progress report on development of this plan within 90 days of enactment of this Act.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE

AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

The bill provides $9,960,000 for fixed costs and academic program requirements of the Institute of American Indian Arts.

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SMITHSONIAN INSTITUTION
SALARIES AND EXPENSES

The agreement provides a total of $1,043,497,000 for all Smithsonian Institution accounts, of which $739,994,000 is provided for salaries and expenses. The Conferees maintain their longstanding commitment to the preservation of priceless, irreplaceable Smithsonian collections and have provided funds for collections care and preservation. The Conferees continue their longstanding support for the National Museum of African American History and Culture (NMAAHC). Within amounts provided for salaries and expenses, the NMAAHC is fully funded. The Conferees provide funds for the Institution's Latino initiatives and support the Smithsonian Latino Center's goal of promoting the inclusion of Latino contributions in Smithsonian Institution programs, exhibitions, collections, and public outreach. The Conferees continue to urge collaboration between the Smithsonian Latino Center and appropriate Federal and local organizations in order to advance these goals and expand the American Latino presence at the Institution. Further, the Conferees provide funds for the Institution's Asian Pacific American initiatives and continue to support the Institution's efforts of developing programs and expanding outreach to promote a better understanding of the Asian Pacific American experience. Additionally, the agreement provides $2,000,000 for the American Women's History Initiative within Institution-wide programs.

The Conferees understand that over the last few years several museums have been closed due to renovations and the Institution has shifted resources to address certain needs; however, today these museums have reopened resulting in increased costs that were not accounted for in the budget request. The Conferees provide $2,500,000 above the budget request for facilities security and remind the Institution that if funding priorities change, there is the opportunity to request the reprogramming of funds as outlined in the reprogramming guidelines contained at the front of this explanatory statement. The agreement also provides $2,500,000 in new funding for facilities maintenance requirements.

FACILITIES CAPITAL

The agreement provides $303,503,000 for the Facilities Capital account, with $286,503,000 provided for revitalization and $17,000,000, as requested, provided for facilities planning and design. The agreement includes $210,000,000 for the National Air and Space Museum revitalization effort and $76,503,000 for major revitalization projects included in the budget request.

National Air and Space Museum Revitalization.—The Conferees support the multi-year, multi-phase renovation of the National Air and Space Museum (NASM) and include $210,000,000 for this critical revitalization effort. The Institution is directed to follow the reprogramming guidelines contained in this explanatory statement and may not redirect the use of these funds for other capital projects without

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prior approval of the Committees. Given the scale of the project, the Conferees direct the Institution to make available to the Committees on a timely basis the most updated and comprehensive information on project and funding requirements. The Government Accountability Office is directed to continue its review and analysis of the project's cost estimates, as directed in the Consolidated Appropriation Act, 2017 (P.L. 115-31). The Institution is directed to submit to the House and Senate Committees on Appropriations, within 60 days of enactment of this Act, a detailed list and description of projects funded within the Facilities Capital account.

NATIONAL GALLERY OF ART
SALARIES AND EXPENSES

The agreement provides $144,202,000 for the Salaries and Expenses account of the National Gallery of Art, of which not to exceed $3,640,000 is for the special exhibition program.

REPAIR, RESTORATION, AND RENOVATION OF BUILDINGS

The agreement provides $24,203,000 for the Repair, Restoration, and Renovation of Buildings account and includes funds to complete the repairs of the East Building atrium skylights.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS
OPERATIONS AND MAINTENANCE

The agreement provides $24,490,000 for the Operations and Maintenance account.

CAPITAL REPAIR AND RESTORATION

The agreement provides $16,800,000 for the Capital Repair and Restoration account. Funds provided above the request are to address critical safety, security, and capital repair and restoration needs.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS
SALARIES AND EXPENSES

The agreement provides $12,000,000 for the Woodrow Wilson International Center for Scholars.

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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES
NATIONAL ENDOWMENT FOR THE ARTS
GRANTS AND ADMINISTRATION

The agreement provides $155,000,000 for the National Endowment for the Arts (NEA) to continue the important work of the Endowment. Changes to the enacted level are included in the table at the end of this explanatory statement. The agency is strongly encouraged to use the increases provided for direct grants to expand its Creative Forces: Military Healing Arts Network and to increase grants made available to Tribes and to rural and underserved areas. The Conferees continue to support the expansion of this successful program to assist service members and their families in their recovery, reintegration, and transition to civilian life. The Conferees remind NEA of the directives included in House Report 115-765 and Senate Report 115-276 regarding the collaborative relationship among NEA and the States, priorities, and allocation to State arts agencies.

NATIONAL ENDOWMENT FOR THE HUMANITIES
GRANTS AND ADMINISTRATION

The agreement provides $155,000,000 for the National Endowment for the Humanities (NEH) to continue the important work of the Endowment. Changes to the enacted level are included in the table at the end of this explanatory statement. The agency is expected to use increases provided to expand its work with Tribes to preserve Native languages and culture as detailed below as well as to support other local history preservation initiatives. The Conferees remind NEH of the directives contained in House Report 115-765 and Senate Report 115-276 regarding support for veterans, American Indian and Alaska Native programs, the collaborative relationship among NEH and the States and Territories, and work with State humanities councils.

COMMISSION OF FINE ARTS
SALARIES AND EXPENSES

The agreement provides $2,771,000 for the Commission of Fine Arts.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The agreement provides $2,750,000 for the National Capital Arts and Cultural Affairs program.

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ADVISORY COUNCIL ON HISTORIC PRESERVATION
SALARIES AND EXPENSES

The agreement provides $6,890,000 for the Advisory Council on Historic Preservation.

NATIONAL CAPITAL PLANNING COMMISSION
SALARIES AND EXPENSES

The agreement provides $8,099,000 for the National Capital Planning Commission.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM
HOLOCAUST MEMORIAL MUSEUM

The agreement provides $59,000,000 for the United States Holocaust Memorial Museum. Within the amount provided, $2,000,000 is included to build upon the capital improvement initiative begun in fiscal year 2018.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION
SALARIES AND EXPENSES

The agreement provides $1,800,000 for the Salaries and Expenses account.

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION
SALARIES AND EXPENSES

The agreement includes $1,000,000 for the Women's Suffrage Centennial Commission. The Conferees note Congress has supported funding for three fiscal years so that the Commission can plan, execute, and coordinate programs and activities in honor of the 100th anniversary of the passage and ratification of the Nineteenth Amendment to the U.S. Constitution, which guaranteed women the right to vote. However, the Commission has not yet been established with the necessary quorum of seven members to select a chair, hire an executive director, and begin operations. The Conferees are concerned that further delay will hinder the development and execution of programs and activities to remember the August 18, 1920, ratification and strongly encourage all Members and Offices, including those in the Executive Branch, to appoint their nominees to the Commission as soon as possible.

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WORLD WAR I CENTENNIAL COMMISSION
SALARIES AND EXPENSES

The bill provides $7,000,000 for the Salaries and Expenses account of the World War I Centennial Commission.

TITLE IV—GENERAL PROVISIONS
(INCLUDING TRANSFERS OF FUNDS)

The agreement includes various legislative provisions in Title IV of the bill. The provisions are:

Section 401 continues a provision providing that appropriations available in the bill shall not be used to produce literature or otherwise promote public support of a legislative proposal on which legislative action is not complete.

Section 402 continues a provision providing for annual appropriations unless expressly provided otherwise in this Act.

Section 403 continues a provision providing restrictions on departmental assessments unless approved by the Committees on Appropriations.

Section 404 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands.

Section 405 continues a provision regarding the payment of contract support costs.

Section 406 addresses the payment of contract support costs for fiscal year 2019.

Section 407 continues a provision providing that the Secretary of Agriculture shall not be considered in violation of certain provisions of the Forest and Rangeland Renewable Resources Planning Act solely because more than 15 years have passed without revision of a forest plan, provided that the Secretary is working in good faith to complete the plan revision.

Section 408 continues a provision limiting preleasing, leasing, and related activities within the boundaries of National Monuments.

Section 409 restricts funding appropriated for acquisition of land or interests in land from being used for declarations of taking or complaints in condemnation.

Section 410 continues a provision addressing timber sales involving Alaska western red and yellow cedar.

Section 411 continues a provision which prohibits no-bid contracts.

Section 412 continues a provision which requires public disclosure of certain reports.

Section 413 continues a provision which delineates the grant guidelines for the National Endowment for the Arts.

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Section 414 continues a provision which delineates the program priorities for the programs managed by the National Endowment for the Arts.

Section 415 requires the Department of the Interior, Environmental Protection Agency, Forest Service and Indian Health Service to provide the Committees on Appropriations quarterly reports on the status of balances of appropriations.

Section 416 continues a provision prohibiting the use of funds to promulgate or implement any regulation requiring the issuance of permits under Title V of the Clean Air Act for carbon dioxide, nitrous oxide, water vapor, or methane emissions.

Section 417 continues a provision prohibiting the use of funds to implement any provision in a rule if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

Section 418 continues a provision prohibiting the use of funds to regulate the lead content of ammunition or fishing tackle.

Section 419 continues a provision through fiscal year 2020 authorizing the Secretary of the Interior and the Secretary of Agriculture to consider local contractors when awarding contracts for certain activities on public lands.

Section 420 extends certain authorities through fiscal year 2019 allowing the Forest Service to renew grazing permits.

Section 421 prohibits the use of funds to maintain or establish a computer network unless such network is designed to block access to pornography websites.

Section 422 extends the authority of the Forest Service Facility Realignment and Enhancement Act.

Section 423 sets requirements for the use of American iron and steel for certain loans and grants.

Section 424 prohibits the use of funds to destroy any building or structures on Midway Island that have been recommended by the U.S. Navy for inclusion in the National Register of Historic Places.

Section 425 reauthorizes funding for one year for the John F. Kennedy Center for the Performing Arts.

Section 426 provides authority for the Secretary of the Interior to enter into training agreements and to transfer excess equipment and supplies for wildfires.

Section 427 provides a one-year extension of the Federal Lands Recreation Enhancement Act.

Section 428 addresses carbon emissions from forest biomass.

Section 429 makes additional investments in water infrastructure priorities and Superfund emergency response, removal, and long-term cleanup remediation.

Section 430 addresses the use of small remote incinerators in the State of Alaska.

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Section 431 addresses section 404 of the Federal Water Pollution Control Act.

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE I - DEPARTMENT OF THE INTERIOR					
BUREAU OF LAND MANAGEMENT					
Management of Lands and Resources					
Land Resources:					
Soil, water and air management	43,609	---	---	-43,609	---
Rangeland management	81,000	82,118	103,921	+22,921	+21,805
Forestry management	10,135	9,527	10,135	---	+608
Riparian management	21,321	---	---	-21,321	---
Cultural resources management	17,131	15,383	17,131	---	+1,748
Wild horse and burro management	75,000	66,719	80,555	+5,555	+13,836
Subtotal	248,196	173,745	211,742	-36,454	+37,997
Wildlife and Fisheries:					
Wildlife management	103,281	---	---	-103,281	---
Fisheries management	12,530	---	---	-12,530	---
Subtotal	115,811	---	---	-115,811	---
Threatened and endangered species	21,567	---	---	-21,567	---

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Wildlife and Aquatic Habitat Management:					
Wildlife habitat management	---	81,753	126,848	+126,848	+45,095
Threatened and endangered species	---	---	(21,567)	(+21,567)	(+21,567)
Aquatic habitat management	---	37,664	55,656	+55,656	+17,992
Subtotal	---	119,417	182,504	+182,504	+63,087
Recreation Management:					
Wilderness management	18,264	11,871	18,264	---	+6,393
Recreation resources management	54,465	53,234	55,465	+1,000	+2,231
Subtotal	72,729	65,105	73,729	+1,000	+8,624
Energy and Minerals:					
Oil and gas management	85,947	83,101	88,947	+3,000	+5,846
Oil and gas permit processing	7,365	5,737	5,737	-1,628	---
Oil and gas inspection and enforcement	48,385	48,385	48,385	---	---
Subtotal, Oil and gas	141,697	137,223	143,089	+1,372	+5,846
Coal management	11,868	19,533	14,868	+3,000	-4,665
Other mineral resources	12,043	12,167	12,167	+124	---
Renewable energy	28,320	16,043	24,320	-4,000	+8,277
Subtotal, Energy and Minerals	193,928	184,966	194,424	+496	+9,458

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Realty and Ownership Management:					
Alaska conveyance	22,000	13,580	22,000	---	+8,420
Cadastral, lands, and realty management	52,480	48,290	48,290	-4,190	---
Subtotal	74,480	61,870	70,290	-4,190	+8,420
Resource Protection and Maintenance:					
Resource management planning	60,125	38,131	63,125	+3,000	+26,994
Abandoned mine lands	20,036	---	---	-20,036	---
Resource protection and law enforcement	27,616	24,186	27,616	---	+3,450
Hazardous materials management	15,463	---	---	-15,463	---
Abandoned minelands and hazardous materials management	---	13,260	36,500	+36,500	+25,240
Subtotal	123,240	73,557	129,241	+6,001	+55,684
Transportation and Facilities Maintenance:					
Annual maintenance	39,125	33,613	40,000	+875	+6,387
Deferred maintenance	79,201	24,886	75,000	-4,201	+50,114
Subtotal	118,326	58,499	115,000	-3,326	+56,501
Workforce and Organizational Support:					
Administrative support	58,694	47,072	58,694	---	+11,622
Bureauwide fixed costs	93,176	98,480	96,480	+3,304	---
Information technology management	26,077	23,653	26,077	---	+2,424
Subtotal	177,947	167,205	181,251	+3,304	+14,046

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National landscape conservation system, base program..	36,819	28,260	39,819	+3,000	+13,559
Communication site management	2,000	2,000	2,000	---	---
Offsetting collections	-2,000	-2,000	-2,000	---	---
Subtotal, Management of lands and resources	1,183,043	930,624	1,196,000	+14,957	+267,376
Mining Law Administration:					
Administration	39,696	39,696	39,696	---	---
Offsetting collections	-56,696	-59,000	-59,000	-2,304	---
Subtotal, Mining Law Administration	-17,000	-19,304	-19,304	-2,304	---
Total, Management of Lands and Resources	1,166,043	911,320	1,178,696	+12,653	+267,376
Construction					
Rescission	---	-5,465	---	---	+5,465
Land Acquisition					
Acquisitions	13,300	---	15,700	+2,400	+15,700
Acquisition Management	2,000	1,996	2,000	---	+4
Recreational Access	8,000	---	9,000	+1,000	+9,000
Emergencies, Hardships, and Inholdings	1,616	1,396	1,616	---	+220
Subtotal	24,916	3,392	28,316	+3,400	+24,924

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Rescission	---	-10,000	-1,800	-1,800	+8,200
Total, Land Acquisition	24,916	-6,808	26,516	+1,600	+33,124
Oregon and California Grant Lands					
Western Oregon resources management	94,445	---	94,445	---	+94,445
Oregon and California grant lands management	---	82,222	---	---	-82,222
Western Oregon information and resource data systems	1,798	1,327	1,798	---	+471
Western Oregon transportation & facilities maintenance	9,628	6,118	9,628	---	+3,510
Western Oregon construction and acquisition	335	364	335	---	-29
Western Oregon national monument	779	---	779	---	+779
Total, Oregon and California Grant Lands	106,985	90,031	106,985	---	+16,954
Range Improvements					
Current appropriations	10,000	10,000	10,000	---	---
Service Charges, Deposits, and Forfeitures					
Service charges, deposits, and forfeitures	24,595	25,850	25,850	+1,255	---
Offsetting fees	-24,595	-25,850	-25,850	-1,255	---
Total, Service Charges, Deposits & Forfeitures	---	---	---	---	---

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Miscellaneous Trust Funds and Permanent Operating Funds					
Current appropriations	24,000	24,000	24,000	---	---
TOTAL, BUREAU OF LAND MANAGEMENT	1,331,944	1,023,278	1,346,197	+14,253	+322,919
(Mandatory)	(34,000)	(34,000)	(34,000)	---	---
(Discretionary)	(1,297,944)	(989,278)	(1,312,197)	(+14,253)	(+322,919)
UNITED STATES FISH AND WILDLIFE SERVICE					
Resource Management					
Ecological Services:					
Listing	18,818	10,941	18,318	-500	+7,377
Planning and consultation	105,579	98,828	106,079	+500	+7,251
Conservation and restoration	32,396	21,187	32,396	---	+11,209
(National Wetlands Inventory)	(3,471)	(3,447)	(3,471)	---	(+24)
(Coastal Barrier Resources Act)	(1,390)	(1,381)	(1,390)	---	(+9)
Recovery	91,032	80,820	95,032	+4,000	+14,212
Subtotal	247,825	211,776	251,825	+4,000	+40,049

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Habitat conservation:					
Partners for fish and wildlife	51,633	35,765	51,633	---	+15,868
Coastal programs	13,375	6,512	13,375	---	+6,863
Subtotal	65,008	42,277	65,008	---	+22,731
National Wildlife Refuge System:					
Wildlife and habitat management	233,392	228,332	234,467	+1,075	+6,135
Visitor services	73,319	71,267	73,319	---	+2,052
Refuge law enforcement	36,054	37,983	38,054	---	+71
Conservation planning	2,523	---	2,523	---	+2,523
Refuge maintenance	139,469	135,487	139,888	+419	+4,401
Subtotal	486,757	473,089	488,251	+1,494	+15,182
Conservation and Enforcement:					
Migratory bird management	48,421	46,290	46,421	-2,000	+131
Law enforcement	77,053	69,453	79,053	+2,000	+9,800
International affairs	15,816	14,484	15,816	---	+1,332
Subtotal	141,290	130,227	141,290	---	+11,063
Fish and Aquatic Conservation:					
National fish hatchery system operations	55,622	49,979	59,822	+4,000	+9,843
Maintenance and equipment	22,920	19,808	22,920	---	+3,112
Aquatic habitat and species conservation	85,885	64,106	84,485	-1,400	+20,379
Subtotal	164,627	133,893	167,227	+2,600	+33,334

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Cooperative landscape conservation	12,988	---	12,500	-488	+12,500
Science Support:					
Adaptive science	10,517	---	10,517	---	+10,517
Service science	6,750	---	6,750	---	+6,750
Subtotal	17,267	---	17,267	---	+17,267
General Operations:					
Central office operations	36,965	43,049	43,049	+8,084	---
Regional office operations	33,574	32,860	32,860	-714	---
Servicewide bill paying	36,365	36,528	36,528	+183	---
National Fish and Wildlife Foundation	7,022	5,009	7,022	---	+2,013
National Conservation Training Center	29,314	21,956	26,014	-3,300	+4,058
Aviation Management	---	---	3,237	+3,237	+3,237
Subtotal	143,240	139,402	148,710	+5,470	+9,308
Total, Resource Management	1,279,002	1,130,644	1,292,078	+13,076	+161,434
Construction					
Construction and rehabilitation:					
Line item construction projects	9,093	9,093	8,293	-800	-800
Bridge and dam safety programs	1,972	1,232	1,972	---	+740

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Nationwide engineering service	5,475	5,421	5,475	---	+54
Deferred maintenance	50,000	---	39,673	-10,127	+39,673
Subtotal	68,540	15,748	55,613	-10,927	+39,867
Rescission	---	-2,000	-1,500	-1,500	+500
Total, Construction	66,540	13,748	54,113	-12,427	+40,367
Land Acquisition					
Acquisitions	31,250	---	22,600	-8,650	+22,600
Acquisition Management	12,773	9,615	12,773	---	+3,158
Recreational Access	2,500	---	2,500	---	+2,500
Emergencies, Hardships, and Inholdings	5,351	1,641	5,351	---	+3,710
Exchanges	1,500	897	1,500	---	+803
Land Protection Planning	465	---	465	---	+465
Highlands Conservation Act Grants	10,000	---	20,000	+10,000	+20,000
Subtotal	63,839	11,953	65,189	+1,350	+53,236
Rescission	---	-5,000	---	---	+5,000
Total, Land Acquisition	63,839	6,953	65,189	+1,350	+58,236

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Cooperative Endangered Species Conservation Fund					
Grants and Administration:					
Conservation grants	12,508	---	12,508	---	+12,508
HCP assistance grants	7,485	---	7,485	---	+7,485
Administration	2,702	---	2,702	---	+2,702
Subtotal	22,695	---	22,695	---	+22,695
Land Acquisition:					
Species recovery land acquisition	11,162	---	11,182	---	+11,162
HCP land acquisition grants to states	19,638	---	19,638	---	+19,838
Subtotal	30,800	---	30,800	---	+30,800
Subtotal, Cooperatiave Endangered Species Conservation Fund	53,495	---	53,495	---	+53,495
Rescission	---	---	-7,500	-7,500	-7,500
Total, Cooperative Endangered Species Fund	53,495	---	45,995	-7,500	+45,995
National Wildlife Refuge Fund					
Payments in lieu of taxes	13,228	---	13,228	---	+13,228

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
North American Wetlands Conservation Fund					
North American Wetlands Conservation Fund	40,000	33,600	42,000	+2,000	+8,400
Neotropical Migratory Bird Conservation					
Migratory bird grants	3,910	3,900	3,910	---	+10
Multinational Species Conservation Fund					
African elephant conservation fund	2,582	1,401	2,682	+100	+1,281
Asian elephant conservation fund	1,557	845	1,657	+100	+812
Rhinoceros and tiger conservation fund	3,440	1,865	3,540	+100	+1,675
Great ape conservation fund	1,975	1,071	2,075	+100	+1,004
Marine turtle conservation fund	1,507	818	1,807	+100	+789
Total, Multinational Species Conservation Fund	11,061	6,000	11,581	+500	+5,561
State and Tribal Wildlife Grants					
State wildlife grants (formula)	53,000	31,286	54,000	+1,000	+22,714
State wildlife grants (competitive)	6,362	---	6,362	---	+6,362
Tribal wildlife grants	4,209	---	4,209	---	+4,209
Total, State and tribal wildlife grants	63,571	31,286	64,571	+1,000	+33,285

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Administrative Provision					
Coastal impact assistance program grants (rescission).	---	---	-15,000	-15,000	-15,000
TOTAL, U.S. FISH AND WILDLIFE SERVICE.....	1,594,646	1,226,129	1,577,645	-17,001	+351,516
NATIONAL PARK SERVICE					
Operation of the National Park System					
Park Management:					
Resource stewardship.....	334,437	327,223	334,437	---	+7,214
Visitor services.....	255,683	256,115	255,683	---	-2,432
Park protection.....	362,226	365,766	357,226	-5,000	-8,540
Facility operations and maintenance.....	810,019	781,963	821,538	+11,519	+39,575
Park support.....	536,032	506,617	548,902	+12,870	+42,285
Subtotal.....	2,298,397	2,239,684	2,317,786	+19,389	+78,102
External administrative costs.....	179,572	185,433	184,925	+5,353	-508
Total, Operation of the National Park System....	2,477,969	2,425,117	2,502,711	+24,742	+77,594

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Recreation and Preservation					
Natural programs	14,170	11,139	14,170	---	+3,031
Cultural programs	25,062	19,333	25,562	+500	+6,229
International park affairs	1,648	970	1,648	---	+678
Environmental and compliance review	433	387	433	---	+46
Grant administration	2,004	---	2,004	---	+2,004
Heritage Partnership Programs	20,321	370	20,321	---	+19,951
Total, National Recreation and Preservation	63,638	32,199	64,138	+500	+31,939
Historic Preservation Fund					
State historic preservation offices	48,925	26,934	49,675	+750	+22,741
Tribal grants	11,485	5,738	11,735	+250	+5,997
Competitive grants	13,500	---	15,250	+1,750	+15,250
Save America's Treasures grants	13,000	---	13,000	---	+13,000
Historic Revitalization grants	5,000	---	5,000	---	+5,000
Grants to Historically Black Colleges and Universities	5,000	---	8,000	+3,000	+8,000
Total, Historic Preservation Fund	96,910	32,672	102,660	+5,750	+69,988
Construction					
General Program:					
Line item construction and maintenance	137,011	157,011	147,011	+10,000	-10,000
Emergency and unscheduled	3,848	3,829	3,848	---	+19
Housing	2,200	2,187	2,200	---	+13

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Dam safety	1,247	1,240	1,247	---	+7
Equipment replacement	13,474	8,406	13,474	---	+5,068
Planning, construction	12,711	17,453	17,453	+4,742	---
Construction program management	38,713	41,000	42,115	+3,402	+1,115
General management plans	12,500	10,205	10,205	-2,295	---
General program increase	138,000	---	127,151	-10,849	+127,151
Total, Construction	359,704	241,333	364,704	+5,000	+123,371
Land and Water Conservation Fund (rescission of contract authority)	---	-28,140	---	---	+28,140
Land Acquisition and State Assistance					
Assistance to States:					
State conservation grants (formula)	100,000	---	100,000	---	+100,000
State conservation grants (competitive)	20,000	---	20,000	---	+20,000
Administrative expenses	4,006	---	4,006	---	+4,006
Subtotal	124,006	---	124,006	---	+124,006
National Park Service:					
Acquisitions	26,400	---	13,903	-12,497	+13,903
Acquisition Management	9,879	8,788	9,679	---	+891
Recreational Access	2,000	---	2,000	---	+2,000
Emergencies, Hardships, Relocations, and Deficiencies	3,928	---	3,928	---	+3,928

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Inholdings, Donations, and Exchanges	4,928	---	4,928	---	+4,928
American Battlefield Protection Program	10,000	---	10,000	---	+10,000
Subtotal	56,935	8,788	44,438	-12,497	+35,650
Subtotal, Land Acquisition and State Assistance	180,941	8,788	168,444	-12,497	+159,656
Rescission	---	-10,000	---	---	+10,000
Total, Land Acquisition and State Assistance	180,941	-1,212	168,444	-12,497	+169,656
Centennial Challenge	23,000	---	20,000	-3,000	+20,000
TOTAL, NATIONAL PARK SERVICE	3,202,162	2,701,969	3,222,657	+20,495	+520,888

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
UNITED STATES GEOLOGICAL SURVEY					
Surveys, Investigations, and Research					
Ecosystems:					
Status and trends	20,473	11,325	18,373	-2,100	+7,048
Fisheries: Aquatic and endangered resources	20,136	9,701	19,136	-1,000	+9,435
Wildlife: Terrestrial and endangered resources	46,007	33,440	45,257	-750	+11,817
Terrestrial, freshwater and marine environments	36,415	24,589	36,415	---	+11,846
Invasive species	17,330	17,096	19,330	+2,000	+2,234
Cooperative research units	17,371	---	18,371	+1,000	+18,371
Total, Ecosystems	157,732	96,131	156,882	-850	+60,751
Land Resources:					
National Land Imaging	93,094	75,514	98,894	+5,800	+23,380
Land change science	34,070	14,739	34,070	---	+19,331
National and regional climate adaptation science centers	25,335	12,989	25,335	---	+12,346
Total, Land Resources	152,499	103,242	158,299	+5,800	+55,057
Energy, Minerals, and Environmental Health:					
Mineral and Energy Resources:					
Mineral resources	49,371	58,226	58,969	+9,598	+743
Energy resources	30,872	25,879	29,972	-900	+4,093
Subtotal	80,243	84,105	88,941	+8,698	+4,836

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Environmental Health:					
Contaminant biology	10,197	---	10,197	---	+10,197
Toxic substances hydrology	12,398	---	12,598	+200	+12,598
Subtotal	22,595	---	22,795	+200	+22,795
Total, Energy, Minerals, and Environmental Health	102,838	84,105	111,738	+8,898	+27,631
Natural Hazards:					
Earthquake hazards	83,403	50,999	83,403	---	+32,404
Volcano hazards	42,621	22,306	30,266	-12,355	+7,960
Landslide hazards	3,538	3,511	3,538	---	+27
Global seismographic network	6,653	4,937	6,653	---	+1,716
Geomagnetism	1,888	---	1,666	---	+1,888
Coastal/Marine hazards and resources	40,510	35,549	40,510	---	+4,961
Total, Natural Hazards	178,613	117,302	166,258	-12,355	+48,956
Water Resources:					
Water Availability and Use Science Program	46,052	30,351	45,487	-565	+15,136
Groundwater and Streamflow Information Program	74,173	64,915	82,673	+8,500	+17,758
National Water Quality Program	90,829	69,656	91,648	+819	+21,992
Water Resources Research Act Program	6,500	---	6,500	---	+6,500
Total, Water Resources	217,554	164,922	226,308	+8,754	+61,386

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Core Science Systems:					
Science, synthesis, analysis, and research	24,051	19,010	24,051	---	+5,041
National cooperative geological mapping	24,397	22,390	24,397	---	+2,007
National Geospatial Program	67,854	50,878	69,454	+1,600	+18,576
Total, Core Science Systems	116,302	92,278	117,902	+1,600	+25,624
Science Support:					
Administration and Management	60,881	69,534	80,881	---	+11,347
Information Services	21,947	19,716	21,947	---	+2,231
Total, Science Support	102,828	89,250	102,828	---	+13,578
Facilities:					
Rental payments and operations & maintenance	104,927	105,219	105,219	+292	---
Deferred maintenance and capital improvement	15,164	7,231	15,164	---	+7,933
Total, Facilities	120,091	112,450	120,363	+292	+7,933
TOTAL, UNITED STATES GEOLOGICAL SURVEY	1,148,457	859,680	1,180,596	+12,139	+300,916

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
BUREAU OF OCEAN ENERGY MANAGEMENT					
Ocean Energy Management					
Renewable energy	21,676	20,720	20,720	-956	---
Conventional energy	58,123	61,799	61,799	+3,676	---
Environmental assessment	73,834	79,774	79,774	+5,940	---
Executive direction	17,367	16,973	16,973	-394	---
Subtotal	171,000	179,266	179,268	+8,266	---
Offsetting rental receipts	-55,374	-47,455	-47,455	+7,919	---
Cost recovery fees	-1,460	-2,361	-2,361	-901	---
Subtotal, offsetting collections	-56,834	-49,816	-49,816	+7,018	---
TOTAL, BUREAU OF OCEAN ENERGY MANAGEMENT	114,166	129,450	129,450	+15,284	---

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT					
Offshore Safety and Environmental Enforcement					
Environmental enforcement	4,453	4,874	4,874	+221	---
Operations, safety and regulation	148,454	146,340	146,340	-2,114	---
Administrative operations	16,788	18,129	18,129	+1,381	---
Executive direction	16,738	18,097	18,097	+1,381	---
Subtotal	186,411	187,240	187,240	+829	---
Offsetting rental receipts	-23,732	-20,338	-20,336	+3,394	---
Inspection fees	-50,000	-43,765	-41,765	+8,235	+2,000
Cost recovery fees	-4,139	-3,786	-3,786	+353	---
Subtotal, offsetting collections	-77,871	-67,889	-65,889	+11,982	+2,000
Total, Offshore Safety and Environmental Enforcement	108,540	119,351	121,351	+12,811	+2,000
Oil Spill Research					
Oil spill research	14,899	12,700	14,899	---	+2,199
TOTAL, BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT	123,439	132,051	136,250	+12,811	+4,199

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT					
Regulation and Technology					
Environmental protection	88,562	73,877	88,562	---	+14,685
Permit fees	40	40	40	---	---
Offsetting collections	-40	-40	-40	---	---
Technology development and transfer	12,801	13,232	12,801	---	-431
Financial management	505	495	505	---	+10
Executive direction	13,936	13,694	13,936	---	+242
Civil penalties (indefinite)	100	100	100	---	---
Subtotal	115,904	101,398	115,904	---	+14,506
Civil penalties (offsetting collections)	-100	-100	-100	---	---
Total, Regulation and Technology	115,804	101,298	115,804	---	+14,506
Abandoned Mine Reclamation Fund					
Environmental restoration	9,480	6,383	9,480	---	+3,097
Technology development and transfer	3,544	2,508	3,544	---	+1,036
Financial management	5,182	5,144	5,182	---	+38
Executive direction	6,466	6,340	6,466	---	+126
Subtotal	24,672	20,375	24,672	---	+4,297

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
State grants	115,000	---	115,000	---	+115,000
Total, Abandoned Mine Reclamation Fund	139,672	20,375	139,672	---	+119,297
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT	255,476	121,673	255,476	---	+133,803
BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION					
Operation of Indian Programs					
Tribal Government:					
Aid to tribal government	28,698	24,326	28,902	+204	+4,576
Consolidated tribal government program	75,429	72,634	75,839	+410	+3,205
Self governance compacts	165,089	157,790	166,225	+1,156	+8,435
New tribes	1,120	1,120	1,120	---	---
Small and needy tribes	4,448	---	4,448	---	+4,448
Road maintenance	34,653	28,318	35,823	+1,170	+7,505
Tribal government program oversight	8,550	7,326	8,616	+66	+1,290
Subtotal	317,987	291,514	320,973	+3,006	+29,459

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Human Services:					
Social services	52,832	32,864	53,084	+252	+20,220
Welfare assistance	76,000	65,794	76,000	---	+10,206
Indian child welfare act	19,080	13,896	19,154	+74	+5,458
Housing improvement program	9,708	---	9,708	---	+9,708
Human services tribal design	263	259	270	+7	+11
Human services program oversight	3,180	2,745	3,200	+20	+455
Subtotal	161,063	115,358	161,418	+353	+46,058
Trust - Natural Resources Management:					
Natural resources, general	4,882	4,866	6,419	+1,537	+1,553
Irrigation operations and maintenance	14,009	9,134	14,023	+14	+4,889
Rights protection implementation	40,161	24,737	40,273	+112	+15,536
Tribal management/development program	11,652	8,860	11,881	+29	+3,021
Endangered species	2,693	1,306	2,897	+4	+1,391
Cooperative landscape conservation	9,956	---	9,956	---	+9,958
Integrated resource information program	2,971	2,578	2,974	+3	+398
Agriculture and range	31,098	27,977	31,251	+155	+3,274
Forestry	54,877	48,872	55,591	+714	+6,719
Water resources	10,581	8,567	10,814	+33	+2,047
Fish, wildlife and parks	15,260	11,438	15,287	+27	+3,851
Resource management program oversight	6,064	5,293	6,104	+40	+811
Subtotal	204,202	153,424	206,670	+2,868	+53,446
Trust - Real Estate Services	129,841	105,484	130,680	+839	+25,196

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Education:					
Elementary and secondary programs (forward funded):					
ISEP formula funds	402,906	378,055	404,185	+1,259	+26,110
ISEP program adjustments	5,457	2,817	5,479	+22	+2,662
Education program enhancements	12,248	6,341	12,278	+30	+5,937
Tribal education departments	2,500	---	2,500	---	+2,500
Student transportation	56,285	50,802	58,413	+128	+5,611
Early child and family development	18,810	---	18,810	---	+18,810
Tribal grant support costs	81,036	73,973	82,935	+1,899	+8,962
Subtotal	579,242	511,788	582,580	+3,338	+70,792
Post secondary programs (forward funded):					
Tribal colleges and universities	69,793	65,684	70,793	+1,000	+5,129
Tribal technical colleges	7,505	8,484	7,505	---	+1,041
Haskell & SIPI	16,885	---	22,694	+5,809	+22,694
Subtotal	94,183	72,128	100,992	+6,809	+28,864
Subtotal, forward funded education	873,425	583,916	883,572	+10,147	+99,856
Elementary and secondary programs:					
Facilities operations	66,608	80,405	68,795	+2,187	+8,390
Facilities maintenance	59,552	53,723	59,774	+222	+8,051
Juvenile detention center education	500	---	500	---	+500
Johnson O'Malley assistance grants	14,903	---	14,903	---	+14,903
Subtotal	141,563	114,128	143,972	+2,409	+29,844

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Post secondary programs:					
Haskell & SIPI	22,513	19,376	---	-22,513	-19,376
Tribal colleges and universities supplements	1,220	1,148	1,220	---	+72
Scholarships & adult education	34,996	---	34,996	---	+34,996
Special higher education scholarships	2,992	---	2,992	---	+2,992
Science post graduate scholarship fund	2,450	---	2,450	---	+2,450
Subtotal	64,171	20,524	41,658	-22,513	+21,134
Education management:					
Education program management	24,957	15,575	25,053	+96	+9,478
Education IT	10,297	7,707	10,302	+5	+2,595
Subtotal	35,254	23,282	35,355	+101	+12,073
Subtotal, Education	914,413	741,850	904,557	-9,856	+162,707
Public Safety and Justice:					
Law enforcement:					
Criminal investigations and police services	211,632	190,753	213,309	+1,677	+22,556
Detention/corrections	100,456	94,027	102,982	+2,526	+8,955
Inspections/internal affairs	3,510	3,335	3,528	+18	+193
Law enforcement special initiatives	10,368	8,659	10,412	+44	+1,753
Indian police academy	4,902	4,665	4,925	+23	+260
Tribal justice support	22,264	7,233	22,271	+7	+15,038
VAWA	(2,000)	---	(2,000)	---	(+2,000)
PL 280 courts	(13,000)	---	(13,000)	---	(+13,000)

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Law enforcement program management	6,530	5,381	6,555	+25	+1,174
Facilities operations and maintenance	13,657	12,596	13,701	+44	+1,105
Tribal courts	30,618	22,110	32,244	+1,626	+10,134
Fire protection	1,583	1,372	1,590	+7	+218
Subtotal	405,520	350,131	411,517	+5,997	+61,386
Community and economic development	46,447	35,826	47,579	+1,132	+11,753
Executive direction and administrative services	231,747	209,409	230,985	-762	+21,576
(Amounts available until expended, account-wide)	(53,991)	(35,598)	(55,174)	(+1,183)	(+19,576)
Total, Operation of Indian Programs	2,411,200	2,002,998	2,414,577	+3,377	+411,581
Contract Support Costs					
Contract support costs	238,600	242,000	242,000	+5,400	---
Indian self-determination fund	5,000	5,000	5,000	---	---
Total, Contract Support Costs	241,600	247,000	247,000	+5,400	---
Construction					
Education	238,245	72,851	238,250	+5	+165,399
Public safety and justice	35,309	10,421	35,310	+1	+24,889
Resources management	67,192	38,026	71,231	+4,039	+33,205
General administration	13,367	11,990	13,928	+561	+1,938
Subtotal	354,113	133,288	358,719	+4,606	+225,431

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Rescission	---	-21,387	---	---	+21,387
Total, Construction	354,113	111,921	356,719	+4,606	+248,798
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians					
Land Settlements:					
White Earth Land Settlement Act (Admin) (P.L.99-264)	625	---	625	---	+625
Hoopa-Yurok Settlement Act (P.L.100-580)	250	---	---	-250	---
Water Settlements:					
Pyramid Lake Water Rights Settlement (P.L.101-618)	142	---	142	---	+142
Navajo Water Resources Development Trust Fund (P.L.111-11)	4,011	---	4,011	---	+4,011
Navajo-Gallup Water Supply Project (P.L.111-11)	21,720	---	21,720	---	+21,720
Pechanga Band of Luiseno Mission Indians Water Rights Settlement Act (P.L.114-322)	9,192	---	9,192	---	+9,192
Blackfeet Water Rights Settlement (P.L. 114-322)	19,517	---	14,367	-5,150	+14,367
Unallocated	---	45,644	---	---	-45,644
Total, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians	55,457	45,644	50,057	-5,400	+4,413

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Indian Guaranteed Loan Program Account					
Indian guaranteed loan program account	9,272	6,699	10,779	+1,507	+4,080
Administrative Provisions					
Rescission	-8,000	---	---	+8,000	---
TOTAL, BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION	3,063,642	2,414,260	3,081,132	+17,490	+666,872
DEPARTMENTAL OFFICES					
Office of the Secretary					
Leadership and administration	105,405	107,368	107,368	+1,963	---
Management services	18,777	27,305	27,305	+8,528	---
General reduction	---	---	-10,000	-10,000	-10,000
Total, Office of the Secretary	124,182	134,673	124,673	+491	-10,000

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Insular Affairs					
Assistance to Territories					
Territorial Assistance:					
Office of Insular Affairs	9,448	9,430	9,448	---	+18
Technical assistance	16,000	14,671	20,800	+2,800	+6,129
Maintenance assistance fund	4,000	1,023	4,000	---	+2,977
Brown tree snake	3,500	2,637	3,500	---	+863
Coral reef initiative and Natural Resources	2,200	946	2,500	+300	+1,554
Empowering Insular Communities	5,000	2,811	5,000	---	+2,189
Compact impact	4,000	---	4,000	---	+4,000
Subtotal, Territorial Assistance	46,148	31,718	49,248	+3,100	+17,530
American Samoa operations grants	23,002	21,529	23,720	+718	+2,191
Northern Marianas covenant grants	27,720	27,720	27,720	---	---
General increase	---	---	---	---	---
Total, Assistance to Territories	96,870	80,987	100,888	+3,818	+19,721
(discretionary)	(69,150)	(53,247)	(72,988)	(+3,818)	(+19,721)
(mandatory)	(27,720)	(27,720)	(27,720)	---	---

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Compact of Free Association					
Compact of Free Association - Federal services	2,813	2,636	2,813	---	+177
Enewetak support	550	473	600	+50	+127
Subtotal, Compact of Free Association	3,363	3,109	3,413	+50	+304
Compact payments, Palau (Title I, General Provision)	123,824	---	---	-123,824	---
Total, Compact of Free Association	127,187	3,109	3,413	-123,774	+304
Total, Insular Affairs	224,057	84,076	104,101	-119,956	+20,025
(discretionary)	(196,337)	(58,356)	(78,381)	(-119,956)	(+20,025)
(mandatory)	(27,720)	(27,720)	(27,720)	---	---
Office of the Solicitor					
Legal services	59,951	58,996	58,996	-955	---
General administration	4,982	4,940	4,940	-42	---
Ethics	1,742	1,738	1,738	-4	---
Total, Office of the Solicitor	66,675	65,674	65,674	-1,001	---
Office of Inspector General					
Audit and investigations	38,538	39,522	39,522	+984	---
Administrative services and information management	12,485	12,964	12,964	+479	---
Total, Office of Inspector General	51,023	52,486	52,486	+1,463	---

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of Special Trustee for American Indians					
Federal Trust Programs					
Program operations, support, and improvements	117,712	102,370	109,843	-7,869	+7,473
(Office of Historical Accounting)	(18,990)	(18,587)	(19,016)	(+26)	(+429)
Executive direction	1,688	1,697	1,697	+9	---
Total, Federal Trust Programs	119,400	104,067	111,540	-7,860	+7,473
Navajo and Hopi Indian Relocation					
Navajo and Hopi Indian Relocation	---	3,000	---	---	-3,000
Total, Office of Special Trustee for American Indians	119,400	107,067	111,540	-7,860	+4,473
TOTAL, DEPARTMENTAL OFFICES	585,337	443,976	458,474	-126,863	+14,498
(Discretionary)	(557,617)	(416,256)	(430,754)	(-126,863)	(+14,498)
(Mandatory)	(27,720)	(27,720)	(27,720)	---	---

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
DEPARTMENT-WIDE PROGRAMS					
Wildland Fire Management					
Fire Operations:					
Preparedness	332,784	322,179	322,179	-10,805	---
Fire suppression	389,406	388,135	388,135	-1,271	---
Subtotal	389,406	388,135	388,135	-1,271	---
Subtotal, Fire operations	722,190	710,314	710,314	-11,876	---
Other Operations:					
Fuels Management	184,000	150,803	189,000	+5,000	+38,397
Burned area rehabilitation	20,470	9,487	20,470	---	+11,003
Fire facilities	18,427	---	18,427	---	+18,427
Joint fire science	3,000	---	3,000	---	+3,000
Subtotal, Other operations	225,897	160,070	230,897	+5,000	+70,827
Total, Wildland fire management	948,087	870,384	941,211	-6,878	+70,827

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Central Hazardous Materials Fund					
Central hazardous materials fund	10,010	2,000	10,010	---	+8,010
Natural Resource Damage Assessment Fund					
Damage assessments	2,000	1,500	2,000	---	+500
Program management	2,192	1,000	2,100	-92	+1,100
Restoration support	2,575	1,900	2,667	+92	+767
Oil Spill Preparedness	1,000	200	1,000	---	+800
Total, Natural Resource Damage Assessment Fund	7,767	4,600	7,767	---	+3,167
Working Capital Fund	62,370	56,735	55,735	-6,635	-1,000
Office of Natural Resources Revenue					
Natural Resources Revenue	137,757	137,505	137,505	-252	---
Payment in Lieu of Taxes					
Payments to local governments in lieu of taxes	---	465,000	---	---	-465,000
TOTAL, DEPARTMENT-WIDE PROGRAMS	1,165,991	1,536,224	1,152,228	-13,763	-383,996

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
GENERAL PROVISIONS					
Payments to local governments in lieu of taxes (PILT) (Sec. 116)	530,000	---	500,000	-30,000	+500,000
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR	13,115,260	10,588,690	13,020,105	-95,155	+2,431,415
Appropriations	(13,123,260)	(10,670,662)	(13,045,905)	(-77,355)	(+2,375,243)
Rescissions	(-8,000)	(-53,832)	(-25,800)	(-17,800)	(+28,032)
Rescissions of contract authority	---	(-28,140)	---	---	(+28,140)
(Mandatory)	(61,720)	(61,720)	(61,720)	---	---
(Discretionary)	(13,053,540)	(10,526,970)	(12,958,385)	(-95,155)	(+2,431,415)
TITLE II - ENVIRONMENTAL PROTECTION AGENCY					
Science and Technology					
Clean Air	116,541	84,905	116,541	---	+31,636
(Atmospheric Protection Program)	(8,018)	---	(8,018)	---	(+8,018)
Enforcement	13,669	10,486	13,669	---	+3,183
Homeland security	33,122	28,177	33,122	---	+4,945
Indoor air and Radiation	5,997	4,666	5,997	---	+1,331
IT / Data management / Security	3,089	2,725	3,089	---	+364
Operations and administration	68,339	74,828	68,339	---	-6,489

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Pesticide licensing	6,027	5,058	6,027	---	+969
Research: Air and energy	91,906	30,711	94,906	+3,000	+64,195
Research: Chemical safety and sustainability	126,930	64,004	126,930	---	+42,926
(Research: Computational toxicology)	(21,409)	(17,213)	(21,409)	---	(+4,196)
(Research: Endocrine disruptor)	(16,253)	(10,006)	(16,253)	---	(+6,247)
Research: National priorities	4,100	---	5,000	+900	+5,000
Research: Safe and sustainable water resources	106,257	67,261	106,257	---	+38,996
Research: Sustainable and healthy communities	134,327	52,549	134,327	---	+81,778
Water: Human health protection	3,519	3,595	3,519	---	-76
Subtotal, Science and Technology	713,823	448,965	717,723	+3,900	+268,758
Rescission	-7,350	---	-11,250	-3,900	-11,250
Total, Science and Technology	706,473	448,965	706,473	---	+257,508
(by transfer from Hazardous Substance Superfund)	(15,496)	(17,398)	(15,496)	---	(-1,902)
Environmental Programs and Management					
Brownfields	25,593	16,082	25,593	---	+9,511
Clean air	273,108	142,901	273,108	---	+130,207
(Atmospheric Protection Program)	(95,436)	(13,542)	(95,436)	---	(+81,894)
Compliance	101,665	86,374	101,865	---	+15,291

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Enforcement	240,637	197,280	240,837	---	+43,357
(Environmental justice)	(6,737)	(2,000)	(6,737)	---	(+4,737)
Environmental protection: National priorities	12,700	---	15,000	+2,300	+15,000
Geographic programs:					
Great Lakes Restoration Initiative	300,000	30,000	300,000	---	+270,000
Chesapeake Bay	73,000	7,300	73,000	---	+65,700
San Francisco Bay	4,819	---	4,819	---	+4,819
Puget Sound	28,000	---	28,000	---	+28,000
Long Island Sound	12,000	---	14,000	+2,000	+14,000
Gulf of Mexico	12,542	---	14,542	+2,000	+14,542
South Florida	1,704	---	3,204	+1,500	+3,204
Lake Champlain	8,399	---	11,000	+2,601	+11,000
Lake Pontchartrain	948	---	948	---	+948
Southern New England Estuaries	5,000	---	5,000	---	+5,000
Columbia River Basin	---	---	1,000	+1,000	+1,000
Other geographic activities	1,445	---	1,445	---	+1,445
Subtotal	447,857	37,300	456,958	+9,101	+419,658
Homeland security	10,195	9,760	10,195	---	+435
Indoor air and radiation	27,637	4,221	27,637	---	+23,418
Information exchange / Outreach	126,538	85,586	126,538	---	+40,952
(Children and other sensitive populations: Agency coordination)	(6,548)	(2,018)	(6,548)	---	(+4,530)
(Environmental education)	(8,702)	---	(8,702)	---	(+8,702)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
International programs	15,400	4,188	15,400	---	+11,212
IT / Data management / Security	90,536	83,019	90,536	---	+7,517
Legal/science/regulatory/economic review	111,414	100,652	111,414	---	+10,762
Operations and administration	480,751	480,206	480,751	---	+545
Pesticide licensing	109,363	79,760	109,383	---	+29,603
Resource Conservation and Recovery Act (RCRA)	109,377	73,851	112,377	+3,000	+38,526
Toxics risk review and prevention	92,521	58,626	92,521	---	+33,895
(Endocrine disruptors)	(7,553)	---	(7,553)	---	(+7,553)
Underground storage tanks (LUST / UST)	11,295	5,615	11,295	---	+5,680
Water: Ecosystems:					
National estuary program / Coastal waterways	26,723	---	26,723	---	+26,723
Wetlands	21,065	17,913	21,065	---	+3,152
Subtotal	47,788	17,913	47,788	---	+29,875
Water: Human health protection	98,507	80,543	98,507	---	+17,964
Water quality protection	210,417	174,975	210,917	+500	+35,942
General reduction	---	---	---	---	---
Subtotal, Environmental Programs and Management	2,643,299	1,738,852	2,658,200	+14,901	+919,348

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Energy Star (legislative proposal)	---	46,000	---	---	-46,000
Offsetting collections, Energy Star (legislative proposal)	---	---	---	---	---
Rescission	-45,300	---	-60,201	-14,901	-60,201
Total, Environmental Programs and Management	2,597,999	1,784,852	2,597,999	---	+813,147
Hazardous Waste Electronic Manifest System Fund					
E-Manifest System Fund	3,674	---	8,000	+4,328	+8,000
Offsetting Collections	-3,674	---	-8,000	-4,326	-8,000
Total, Hazardous Waste Electronic Manifest System Fund	---	---	---	---	---
Office of Inspector General					
Audits, evaluations, and investigations	41,489	37,475	41,489	---	+4,014
(by transfer from Hazardous Substance Superfund)	(8,778)	(8,718)	(8,778)	---	(+60)
Buildings and Facilities					
Homeland security: Protection of EPA personnel and infrastructure	8,676	8,176	8,676	---	+500
Operations and administration	27,791	33,377	27,791	---	-5,586
Total, Buildings and Facilities	34,467	39,553	34,467	---	-5,086

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Hazardous Substance Superfund					
Audits, evaluations, and investigations	8,778	8,718	8,778	---	+60
Compliance	995	988	995	---	+7
Enforcement	166,375	164,691	166,375	---	+1,684
Homeland security	32,618	32,688	32,618	---	-70
Indoor air and radiation	1,985	1,972	1,985	---	+13
Information exchange / Outreach	1,328	1,319	1,328	---	+9
IT /data management/security	14,485	18,906	14,485	---	-4,421
Legal/science/regulatory/economic review	1,253	577	1,253	---	+878
Operations and administration	128,105	124,700	128,105	---	+3,405
Research: Chemical safety and sustainability	2,824	5,021	2,824	---	-2,197
Research: Sustainable communities	11,483	10,885	11,483	---	+578
Superfund cleanup:					
Superfund: Emergency response and removal	181,308	181,308	181,308	---	---
Superfund: Emergency preparedness	7,636	7,584	7,636	---	+52
Superfund: Federal facilities	21,125	20,982	21,125	---	+143
Superfund: Remedial	511,873	508,495	511,873	---	+3,178
Subtotal	721,740	718,367	721,740	---	+3,373
Total, Hazardous Substance Superfund	1,091,947	1,088,830	1,091,947	---	+3,117
(transfer out to Inspector General)	(-8,778)	(-8,718)	(-8,778)	---	(-60)
(transfer out to Science and Technology)	(-15,498)	(-17,398)	(-15,498)	---	(+1,902)

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Leaking Underground Storage Tank Trust Fund (LUST)					
Enforcement	620	589	620	---	+31
Operations and administration	1,352	1,331	1,352	---	+21
Research: Sustainable communities	320	320	320	---	---
Underground storage tanks (LUST / UST)	89,649	45,292	89,849	---	+44,357
(LUST/UST)	(9,240)	(6,452)	(9,240)	---	(+2,788)
(LUST cooperative agreements)	(55,040)	(38,840)	(55,040)	---	(+16,200)
(Energy Policy Act grants)	(25,369)	---	(25,369)	---	(+25,369)
Total, Leaking Underground Storage Tank Trust Fund	91,941	47,532	91,941	---	+44,409
Inland Oil Spill Program					
Compliance	139	---	139	---	+139
Enforcement	2,413	2,219	2,413	---	+194
Oil	14,409	12,273	14,409	---	+2,136
Operations and administration	584	885	584	---	-81
Research: Sustainable communities	664	516	664	---	+148
Total, Inland Oil Spill Program	18,209	15,673	18,209	---	+2,536

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
State and Tribal Assistance Grants (STAG)					
Alaska Native villages	20,000	3,000	25,000	+5,000	+22,000
Brownfields projects	80,000	62,000	87,000	+7,000	+25,000
Clean water state revolving fund (SRF)	1,393,887	1,393,887	1,394,000	+113	+113
Diesel emissions grants	75,000	10,000	87,000	+12,000	+77,000
Drinking water state revolving fund (SRF)	863,233	863,233	864,000	+767	+767
Mexico border	10,000	---	15,000	+5,000	+15,000
Targeted airshed grants	40,000	---	52,000	+12,000	+52,000
Water quality monitoring (P.L. 114-322)	4,000	---	4,000	---	+4,000
Subtotal, Infrastructure assistance grants	2,486,120	2,332,120	2,528,000	+41,880	+195,880
Categorical grants:					
Beaches protection	9,549	---	9,549	---	+9,549
Brownfields	47,745	31,791	47,745	---	+15,954
Environmental information	9,648	6,422	9,648	---	+3,224
Hazardous waste financial assistance	99,693	66,381	99,693	---	+33,312
Lead	14,049	---	14,049	---	+14,049
Nonpoint source (Sec. 319)	170,915	---	170,915	---	+170,915
Pesticides enforcement	18,050	10,531	18,050	---	+7,519
Pesticides program implementation	12,701	8,457	12,701	---	+4,244
Pollution control (Sec. 106)	230,806	153,683	230,806	---	+77,123
(Water quality monitoring)	(17,848)	(11,884)	(17,848)	---	(+5,964)
Pollution prevention	4,765	---	4,765	---	+4,765
Public water system supervision	101,963	67,892	101,963	---	+34,071
Radon	8,051	---	8,051	---	+8,051
State and local air quality management	228,219	151,981	228,219	---	+76,258

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Toxic substances compliance	4,919	3,276	4,919	---	+1,643
Tribal air quality management	12,829	6,983	12,829	---	+3,666
Tribal general assistance program	65,476	44,233	65,476	---	+21,243
Underground injection control (UIC)	10,506	6,995	10,506	---	+3,511
Underground storage tanks	1,498	---	1,498	---	+1,498
Wetlands program development	14,661	9,762	14,661	---	+4,899
Multipurpose grants	10,000	27,000	11,000	+1,000	-16,000
Subtotal, Categorical grants	1,076,041	597,347	1,077,041	+1,000	+479,694
Total, State and Tribal Assistance Grants	3,562,161	2,929,467	3,605,041	+42,880	+675,574
Water Infrastructure Finance and Innovation Program					
Administrative Expenses	5,000	3,000	5,000	---	+2,000
Direct Loan Subsidy	5,000	17,000	5,000	---	-12,000
Total, Water Infrastructure Finance and Innovation Program	10,000	20,000	10,000	---	-10,000

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Administrative Provisions					
Rescission	-96,198	-220,460	-139,078	-42,880	+81,382
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY	8,058,488	8,191,887	8,058,488	---	+1,866,601
Appropriations	(8,207,336)	(8,412,347)	(8,269,017)	(+61,681)	(+1,856,670)
Rescissions	(-148,848)	(-220,460)	(-210,529)	(-61,681)	(+9,931)
(By transfer)	(24,274)	(26,116)	(24,274)	---	(-1,842)
(Transfer out)	(-24,274)	(-28,116)	(-24,274)	---	(+1,842)
TITLE III - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Under Secretary for Natural Resources and the Environment	875	875	875	---	---
FOREST SERVICE					
Forest and Rangeland Research					
Forest inventory and analysis	77,000	75,000	77,000	---	+2,000
Research and development programs	220,000	171,050	223,000	+3,000	+51,950
Fire plan research and development	---	14,750	---	---	-14,750

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Subtotal, Forest and Rangeland Research	297,000	260,800	300,000	+3,000	+39,200
Unobligated balances (rescission)	---	-2,000	---	---	+2,000
Total, Forest and rangeland research	297,000	258,800	300,000	+3,000	+41,200
State and Private Forestry					
Landscape scale restoration	14,000	---	14,000	---	+14,000
Forest Health Management:					
Federal lands forest health management	55,500	51,495	56,000	+500	+4,505
Cooperative lands forest health management	41,000	34,376	42,000	+1,000	+7,624
Subtotal	96,500	85,871	98,000	+1,500	+12,129
Cooperative Fire Assistance:					
State fire assistance (National Fire Capacity)	80,000	65,930	81,000	+1,000	+15,070
Volunteer fire assistance (Rural Fire Capacity)	16,000	11,020	17,000	+1,000	+5,980
Subtotal	96,000	76,950	98,000	+2,000	+21,050
Cooperative Forestry:					
Forest stewardship (Working Forest Lands)	20,500	19,475	20,500	---	+1,025
Forest legacy	67,025	---	63,990	-3,035	+63,990

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Community forest and open space conservation	4,000	---	4,000	---	+4,000
Urban and community forestry	28,500	---	29,500	+1,000	+29,500
Subtotal	120,025	19,475	117,990	-2,035	+98,515
International forestry	9,000	---	9,000	---	+9,000
Subtotal, State and Private Forestry	335,525	182,298	336,990	+1,465	+154,694
Unobligated balances: Forest legacy (rescission)	-5,938	-4,000	-1,503	+4,435	+2,497
Unobligated balances (rescission)	---	-6,000	---	---	+6,000
Subtotal	-5,938	-10,000	-1,503	+4,435	+8,497
General increase	---	---	---	---	---
Total, State and Private Forestry	329,587	172,298	335,487	+5,900	+163,191
National Forest System					
Land management planning, assessment and monitoring	179,263	156,750	180,000	+737	+23,250
Recreation, heritage and wilderness	257,848	240,238	280,000	+2,152	+19,764
Grazing management	56,856	48,070	57,000	+144	+8,930
Hazardous Fuels	430,000	390,000	435,000	+5,000	+45,000
Forest products	366,000	341,165	368,000	+2,000	+26,835
Vegetation and watershed management	180,000	165,680	180,000	---	+14,320
Wildlife and fish habitat management	136,430	118,750	137,000	+570	+18,250
Collaborative Forest Landscape Restoration Fund	40,000	---	40,000	---	+40,000

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Minerals and geology management	74,200	84,600	75,000	+800	+10,400
Landownership management (Land Use Authorization and Access)	74,000	65,550	75,000	+1,000	+9,450
Law enforcement operations	129,153	129,153	131,000	+1,847	+1,847
Total, National Forest System	1,923,750	1,719,954	1,938,000	+14,250	+218,046
Capital Improvement and Maintenance					
Facilities	151,000	11,162	148,000	-3,000	+136,838
Roads	218,000	71,481	218,000	---	+146,519
Trails	80,000	12,065	80,000	---	+67,935
Subtotal, Capital improvement and maintenance	449,000	94,708	446,000	-3,000	+351,292
Deferral of road and trail fund payment	-15,000	-15,000	-15,000	---	---
Total, Capital improvement and maintenance	434,000	79,708	431,000	-3,000	+351,292
Land Acquisition					
Acquisitions	50,035	---	57,962	+7,927	+57,962
Acquisition Management	7,352	---	7,352	---	+7,352
Recreational Access	4,700	---	5,000	+300	+5,000

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Critical Inholdings/Wilderness	2,000	---	2,000	---	+2,000
Cash Equalization	250	---	250	---	+250
Subtotal	64,337	---	72,564	+8,227	+72,564
Unobligated balances (rescission)	---	-17,000	---	---	+17,000
Total, Land Acquisition	64,337	-17,000	72,564	+8,227	+89,564
Acquisition of land for national forests, special acts	850	700	700	-150	---
Acquisition of lands to complete land exchanges	192	150	150	-42	---
Range betterment fund	2,085	1,700	1,700	-365	---
Gifts, donations and bequests for forest and rangeland research	45	45	45	---	---
Management of national forest lands for subsistence uses	2,500	1,850	2,500	---	+650
Wildland Fire Management					
Fire operations:					
Wildland fire preparedness	1,323,520	1,339,620	1,339,820	+16,100	---
Wildland fire suppression operations	1,056,818	1,165,366	1,165,366	+108,548	---
Additional suppression funding	500,000	---	500,000	---	+500,000
Subtotal, Fire operations	2,880,338	2,504,986	3,004,986	+124,648	+500,000
Subtotal, Wildland Fire Management	2,880,338	2,504,986	3,004,986	+124,648	+500,000

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Rescission	---	-85,000	---	---	+85,000
Total, all wildland fire accounts	2,880,338	2,439,986	3,004,986	+124,648	+565,000
Total, Forest Service without Wildland Fire Management	3,054,326	2,218,203	3,082,148	+27,820	+863,943
TOTAL, FOREST SERVICE	5,934,884	4,658,189	6,087,132	+152,468	+1,428,943
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
INDIAN HEALTH SERVICE					
Indian Health Services					
Clinical Services:					
Hospital and health clinics	2,045,128	2,189,888	2,147,343	+102,215	-42,345
Dental health	195,283	203,763	204,672	+9,389	+889
Mental health	99,900	105,189	105,281	+5,381	+112
Alcohol and substance abuse	227,788	235,288	245,586	+17,778	+10,280
Purchased/referred care	982,695	954,957	984,819	+2,124	+9,862
Indian Health Care Improvement Fund	72,280	---	72,280	---	+72,280
Subtotal	3,803,074	3,888,883	3,739,961	+138,887	+51,078

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Preventive Health:					
Public health nursing	85,043	87,023	89,159	+4,116	+2,136
Health education	19,871	---	20,588	+897	+20,588
Community health representatives	62,888	---	62,888	---	+62,888
Immunization (Alaska)	2,127	2,035	2,127	---	+92
Subtotal	169,929	89,058	174,742	+4,813	+85,684
Other services:					
Urban Indian health	49,315	48,422	51,315	+2,000	+4,893
Indian health professions	49,363	43,394	57,383	+8,000	+13,989
Tribal management grant program	2,465	---	2,485	---	+2,485
Direct operations	72,338	73,431	71,538	-800	-1,893
Self-governance	5,806	4,787	5,806	---	+1,019
Subtotal	179,287	168,034	188,487	+9,200	+20,453
Total, Indian Health Services	3,952,290	3,945,975	4,103,190	+150,900	+157,215
Special Diabetes Program for Indians					
Program costs (legislative proposal)	---	150,000	---	---	-150,000
Contract Support Costs					
Contract support	717,970	822,227	822,227	+104,257	---

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Indian Health Facilities					
Maintenance and improvement	167,527	75,745	167,527	---	+91,782
Sanitation facilities construction	192,033	101,772	192,033	---	+90,261
Health care facilities construction	243,480	79,500	243,480	---	+163,980
Facilities and environmental health support	240,758	228,852	252,060	+11,302	+23,208
Equipment	23,706	19,952	23,706	---	+3,754
Total, Indian Health Facilities	867,504	505,821	878,806	+11,302	+372,985
TOTAL, INDIAN HEALTH SERVICE	5,537,764	5,424,023	5,804,223	+266,459	+380,200
NATIONAL INSTITUTES OF HEALTH					
National Institute of Environmental Health Sciences	77,349	53,967	79,000	+1,651	+25,033
AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY					
Toxic substances and environmental public health	74,691	62,000	74,691	---	+12,691
TOTAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES	5,889,804	5,539,990	5,957,914	+268,110	+417,924

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
OTHER RELATED AGENCIES					
EXECUTIVE OFFICE OF THE PRESIDENT					
Council on Environmental Quality and Office of Environmental Quality	3,000	2,994	2,994	-6	---
CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD					
Salaries and expenses	11,000	9,500	12,000	+1,000	+2,500
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION					
Salaries and expenses	15,431	4,400	8,750	-6,681	+4,350
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT					
Payment to the Institute	9,835	9,980	9,980	+125	---
SMITHSONIAN INSTITUTION					
Salaries and Expenses					
Museum and Research Institutes:					
National Air and Space Museum	20,110	20,110	20,110	---	---
Smithsonian Astrophysical Observatory	24,593	24,593	24,593	---	---

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Major scientific instrumentation	4,118	4,118	4,118	---	---
Universe Center	184	184	184	---	---
National Museum of Natural History	49,769	49,769	49,769	---	---
National Zoological Park	27,566	27,566	27,566	---	---
Smithsonian Environmental Research Center	4,227	4,227	4,227	---	---
Smithsonian Tropical Research Institute	14,486	14,486	14,488	---	---
Biodiversity Center	1,543	1,543	1,543	---	---
Arthur M. Sackler Gallery/Freer Gallery of Art	6,273	6,273	6,273	---	---
Center for Folklife and Cultural Heritage	3,084	3,184	3,184	+100	---
Cooper-Hewitt, National Design Museum	5,061	5,086	5,066	+25	---
Hirshhorn Museum and Sculpture Garden	4,687	4,544	4,544	-143	---
National Museum of African Art	4,654	4,654	4,654	---	---
World Cultures Center	792	792	792	---	---
Anacostia Community Museum	2,355	2,405	2,405	+50	---
Archives of American Art	1,933	1,933	1,933	---	---
National Museum of African American History and Culture	33,079	33,079	33,079	---	---
National Museum of American History	26,504	26,704	26,704	+200	---
National Museum of the American Indian	32,671	33,242	33,242	+571	---
National Portrait Gallery	6,556	6,556	6,556	---	---
Smithsonian American Art Museum	10,239	10,239	10,239	---	---
American Experience Center	600	550	600	---	+50
Subtotal, Museums and Research Institutes	285,104	285,857	285,907	+803	+50
Mission enabling:					
Program support and outreach:					
Outreach	9,333	9,333	9,333	---	---

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Communications	2,663	2,839	2,839	+178	---
Institution-wide programs	16,784	14,784	16,784	---	+2,000
Office of Exhibits Central	3,154	3,169	3,169	+15	---
Museum Support Center	1,906	1,906	1,906	---	---
Museum Conservation Institute	3,359	3,359	3,359	---	---
Smithsonian Institution Archives	2,408	2,423	2,423	+15	---
Smithsonian Institution Libraries	11,273	11,373	11,373	+100	---
Subtotal, Program support and outreach	50,880	49,186	51,188	+306	+2,000
Office of Chief Information Officer	51,967	52,509	52,509	+542	---
Administration	36,314	36,405	36,405	+91	---
Inspector General	3,538	3,538	3,538	---	---
Facilities services:					
Facilities maintenance	77,045	82,045	79,545	+2,500	-2,500
Facilities operations, security and support	226,596	228,404	230,904	+4,308	+2,500
Subtotal, Facilities services	303,641	310,449	310,449	+6,808	---
Subtotal, Mission enabling	446,340	452,087	454,087	+7,747	+2,000
Total, Salaries and expenses	731,444	737,944	739,994	+8,550	+2,050

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Facilities Capital					
Revitalization	281,603	202,500	286,503	+4,900	+84,003
Facilities planning and design	20,300	17,000	17,000	-3,300	---
Construction	10,000	---	---	-10,000	---
Total, Facilities Capital	311,903	219,500	303,503	-8,400	+84,003
TOTAL, SMITHSONIAN INSTITUTION	1,043,347	957,444	1,043,497	+150	+86,053
NATIONAL GALLERY OF ART					
Salaries and Expenses					
Care and utilization of art collections	46,368	44,954	48,871	+2,503	+3,917
Operation and maintenance of buildings and grounds	35,854	35,091	36,154	+300	+1,063
Protection of buildings, grounds and contents	28,558	27,283	26,958	+400	-325
General administration	33,010	31,396	32,219	-791	+823
Total, Salaries and Expenses	141,790	138,724	144,202	+2,412	+5,478

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Repair, Restoration and Renovation of Buildings					
Base program	24,203	8,176	24,203	---	+16,027
TOTAL, NATIONAL GALLERY OF ART	165,993	146,900	168,405	+2,412	+21,505
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS					
Operations and maintenance	23,740	24,490	24,490	+750	---
Capital repair and restoration	16,775	13,000	16,800	+25	+3,800
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS	40,515	37,490	41,290	+775	+3,800
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS					
Salaries and expenses	12,000	7,474	12,000	---	+4,526

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES					
National Endowment for the Arts					
Grants and Administration					
Grants:					
Direct grants	64,819	---	68,110	+1,291	+68,110
Challenge America grants	7,600	---	7,600	---	+7,600
Subtotal	72,419	---	73,710	+1,291	+73,710
State partnerships:					
State and regional	37,996	---	38,873	+877	+38,873
Underserved set-aside	10,284	---	10,487	+183	+10,487
Subtotal	48,280	---	49,140	+860	+49,140
Subtotal, Grants	120,699	---	122,850	+2,151	+122,850
Program support	1,950	---	1,950	---	+1,950
Administration	30,200	28,949	30,200	---	+1,251
Total, Arts	152,849	28,949	155,000	+2,151	+126,051

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Endowment for the Humanities					
Grants and Administration					
Grants:					
Federal/State partnership	47,200	---	48,000	+800	+48,000
Preservation and access	19,000	---	19,000	---	+19,000
Public programs	14,000	---	13,500	-500	+13,500
Research programs	15,000	---	14,500	-500	+14,500
Education programs	12,750	---	12,250	-500	+12,250
Program development	850	---	1,200	+350	+1,200
Digital humanities initiatives	4,600	---	4,600	---	+4,600
Subtotal, Grants	113,400	---	113,050	-350	+113,050
Matching Grants:					
Treasury funds	2,200	---	2,000	-200	+2,000
Challenge grants	9,100	13,537	11,250	+2,150	-2,287
Subtotal, Matching grants	11,300	13,537	13,250	+1,950	-287
Administration	28,148	28,770	28,700	+552	-70
Total, Humanities	152,848	42,307	155,000	+2,152	+112,693
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	305,697	71,256	310,000	+4,303	+238,744

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
COMMISSION OF FINE ARTS					
Salaries and expenses	2,762	2,771	2,771	+9	---
NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS					
Grants	2,750	---	2,750	---	+2,750
ADVISORY COUNCIL ON HISTORIC PRESERVATION					
Salaries and expenses	6,400	6,440	6,890	+490	+450
NATIONAL CAPITAL PLANNING COMMISSION					
Salaries and expenses	8,099	7,948	8,099	---	+151
UNITED STATES HOLOCAUST MEMORIAL MUSEUM					
Holocaust Memorial Museum	59,000	56,602	59,000	---	+2,398
DWIGHT D. EISENHOWER MEMORIAL COMMISSION					
Salaries and expenses	1,800	1,600	1,800	---	---

AMERICAN OVERSIGHT

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Construction	45,000	30,000	---	-45,000	-30,000
Total, DWIGHT D. EISENHOWER MEMORIAL COMMISSION	46,800	31,800	1,600	-45,000	-30,000
WOMEN'S SUFFRAGE CENTENNIAL COMMISSION					
Salaries and expenses	1,000	---	1,000	---	+1,000
WORLD WAR I CENTENNIAL COMMISSION					
Salaries and expenses	7,000	6,000	7,000	---	+1,000
TOTAL, TITLE III, RELATED AGENCIES	13,365,972	11,558,033	13,744,127	+378,155	+2,186,094
Appropriations	(13,371,910)	(11,652,033)	(13,745,830)	(+373,720)	(+2,093,597)
Rescissions	(-5,938)	(-94,000)	(-1,503)	(+4,435)	(+92,497)
Emergency appropriations	---	---	---	---	---
TITLE IV - GENERAL PROVISIONS					
Treatment of certain hospitals	8,000	---	---	-8,000	---
Infrastructure (Sec. 429)	766,000	---	791,000	+25,000	+791,000
TOTAL, TITLE IV, GENERAL PROVISIONS	774,000	---	791,000	+17,000	+791,000

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
OTHER APPROPRIATIONS					
ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS ACT OF 2017 (P.L. 115-72)					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Wildland Fire Management (emergency)	184,500	---	---	-184,500	---
FLAME Wildfire Suppression Reserve Fund (emergency)	342,000	---	---	-342,000	---
Total, Department of Agriculture	526,500	---	---	-526,500	---
DEPARTMENT OF THE INTERIOR					
Department-Wide Programs					
Wildland Fire Management (emergency)	50,000	---	---	-50,000	---
Total, Additional Supplemental Appropriations for Disaster Relief Requirements, 2017	576,500	---	---	-576,500	---

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
FURTHER ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2018 (P.L. 115-123)					
DEPARTMENT OF THE INTERIOR					
United States Fish and Wildlife Service					
Construction (emergency)	210,629	---	---	-210,629	---
National Park Service					
Historic Preservation Fund (emergency)	50,000	---	---	-50,000	---
Construction (emergency)	207,600	---	---	-207,600	---
Total, National Park Service	257,600	---	---	-257,600	---
United States Geological Survey					
Surveys, Investigations, and Research (emergency)	42,246	---	---	-42,246	---
Departmental Offices					
Insular Affairs:					
Assistance to Territories (emergency)	3,000	---	---	-3,000	---

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of Inspector General (emergency)	2,500	---	---	-2,500	---
Total, Departmental Offices	5,500	---	---	-5,500	---
Total, Department of the Interior	515,975	---	---	-515,975	---
Environmental Protection Agency					
Hazardous Substance Superfund (emergency)	6,200	---	---	-6,200	---
Leaking Underground Storage Tank Trust Fund (emergency)	7,000	---	---	-7,000	---
State and Tribal Assistance Grants (emergency)	50,000	---	---	-50,000	---
Total, Environmental Protection Agency	63,200	---	---	-63,200	---
DEPARTMENT OF AGRICULTURE					
Forest Service					
State and Private Forestry (emergency)	7,500	---	---	-7,500	---
National Forest System (emergency)	20,652	---	---	-20,652	---

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Capital Improvement and Maintenance (emergency)	91,600	---	---	-91,600	---
Total, Department of Agriculture	119,752	---	---	-119,752	---
Total, Further Additional Supplemental Appropriations for Disaster Relief, 2018	698,927	---	---	-698,927	---
TOTAL, OTHER APPROPRIATIONS	1,275,427	---	---	-1,275,427	---
GRAND TOTAL	36,589,147	28,338,610	35,613,720	-975,427	+7,275,110
Appropriations	(35,476,508)	(28,735,042)	(35,851,552)	(+375,048)	(+7,116,510)
Rescissions	(-162,786)	(-368,292)	(-237,832)	(-75,046)	(+130,460)
Rescissions of contract authority	---	(-28,140)	---	---	(+28,140)
Emergency appropriations	(1,275,427)	---	---	(-1,275,427)	---
(By transfer)	(24,274)	(26,116)	(24,274)	---	(-1,842)
(Transfer out)	(-24,274)	(-26,116)	(-24,274)	---	(+1,842)
(Discretionary total)	(35,252,000)	(28,276,890)	(35,552,000)	(+300,000)	(+7,275,110)

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DIVISION F - DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

In implementing this conference agreement, Federal departments, agencies, commissions, and other entities are directed to comply with the directives, reporting requirements, and instructions contained in H. Rept. 115-829 (House report) accompanying H.R. 6385 (House bill) and S. Rept. 115-282 (Senate report) accompanying S. 3108 (Senate bill) as though stated in this joint explanatory statement, unless specifically directed to the contrary.

This joint explanatory statement, while repeating some House and Senate report language for emphasis or clarification, does not negate language in such reports unless expressly provided herein. Language expressing an opinion or making an observation in the House or Senate reports represents the view of the respective committee unless specifically endorsed in this joint explanatory statement. In cases in which the House and Senate reports provide contradictory directives or contradictory instructions that are not addressed in this joint explanatory statement, such directives or instructions are negated.

Reports required to be submitted pursuant to the Act, including reports required by this joint explanatory statement and the House and Senate reports, may not be consolidated to include responses to multiple requirements in a single report, except following consultation with the Committees on Appropriations.

In lieu of the tables and allocations of funding contained in the House and Senate reports, the tables and such allocations contained in this joint explanatory statement shall guide departments, agencies, commissions, and other entities when allocating funds.

Section 7019 of the Act requires that amounts designated in the respective tables referenced in this joint explanatory statement for funds appropriated in titles III through V, including tables in title VII, shall be made available in such designated amounts, unless otherwise provided for in the Act, and shall be the basis of the report required by section 653(a) of the Foreign Assistance Act of 1961 (FAA) (the 653(a) report), where applicable. The section also includes limited authority to deviate from such specified amounts and continues language similar to prior years including exceptions to the application of the requirements of such section for amounts designated in tables included in this joint explanatory statement for International Military Education and Training, Global Health Programs, and Economic Support Fund/Global Programs, funds for which the initial period of availability has expired, amounts designated by

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the Act as minimum funding requirements, and funds made available for a country pursuant to sections 7043(c), 7047(d), and 7071(b) of the Act.

Proposed deviations from tables in titles I and II in this joint explanatory statement are subject to the regular notification procedures of the Committees on Appropriations, unless an exception or deviation authority is specifically provided herein.

For the purposes of this joint explanatory statement, the term "prior Acts" means prior Acts making appropriations for the Department of State, foreign operations, and related programs. In addition, any reference to "division K of Public Law 115–141" means the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018, and any reference to "division J of Public Law 115-31" means the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017.

For purposes of the Act and joint explanatory statement, the term "regular notification procedures of the Committees on Appropriations" means such Committees are notified not less than 15 days in advance of the obligation of funds. The Secretary of State and USAID Administrator are directed to submit notifications for the obligation of funds made available by the Act and prior Acts not later than 60 days prior to the expiration of such funds.

Congressional notifications submitted by the Secretary of State and USAID Administrator for funds that are being reallocated prior to initial obligation, reprogrammed, or reobligated after deobligation, shall, to the maximum extent practicable, contain detailed information about the sources of the funds and why such funds are no longer intended to be used as previously justified.

For purposes of the Act, the term "prior consultation" means a pre-decisional engagement between a relevant Federal agency and the Committees on Appropriations during which the Committees are provided a meaningful opportunity to provide facts and opinions to inform: (1) the use of funds; (2) the development, content, or conduct of a program or activity; or (3) a decision to be taken. Direction to consult with the "Committee" in either the House or Senate reports shall mean to consult with the Committees on Appropriations.

In the Act, the term "stabilization assistance" has the same meaning as defined by the Stabilization Assistance Review in "A Framework for Maximizing the Effectiveness of U.S. Government Efforts to Stabilize Conflict-Affected Areas, 2018."

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As in prior fiscal years, additional funding designated as Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) is contained in title VIII of the Act. Such funds are intended to address the extraordinary costs of operations and assistance in countries in conflict and areas of instability and violence, particularly in the Middle East, South Asia, and Africa; security, stabilization, and peacekeeping programs; humanitarian activities; and counterterrorism and counterinsurgency efforts.

The Secretary of State shall comply with the directive under section 7015 in the House report regarding the transfer or release of any individuals detained at Naval Station, Guantanamo Bay, Cuba in the manner described.

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TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

The conference agreement provides $9,047,657,000 for Administration of Foreign Affairs in this title, and an additional $3,280,871,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA. The conference agreement includes a total of $6,071,348,000 for embassy security in this title and title VIII, as contained in the table below:

EMBASSY SECURITY

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Worldwide Security Protection	4,095,899
Embassy Security, Construction, and Maintenance	1,975,449
Total	**6,071,348**

DIPLOMATIC PROGRAMS

The conference agreement provides $5,947,952,000 for Diplomatic Programs in this title, and an additional $3,225,971,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA.

Within the total provided under this heading in this title, up to $1,469,777,000 is for Worldwide Security Protection (WSP) and may remain available until expended; and $4,478,175,000 is for operations, of which $671,726,000 may remain available until September 30, 2020.

Funds appropriated by the Act for activities, bureaus, and offices under this heading in this title are allocated according to the following table:

DIPLOMATIC PROGRAMS

[Budget authority in thousands of dollars]

Category		Budget Authority
Human Resources		2,871,794
	Worldwide Security Protection	*[528,000]*

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Overseas Programs		1,338,227
Diplomatic Policy and Support		773,847
Security Programs		964,084
	Worldwide Security Protection	*[941,777]*
Total		**5,947,952**

Bureau/Office (includes salary and bureau-managed funds)	
Bureau of Administration	
Freedom of Information Act	*[33,960]*
Ambassadors Fund for Cultural Preservation	6,250
Cultural Antiquities Task Force	1,000
Bureau of Democracy, Human Rights, and Labor	42,020
Human Rights Vetting	*[10,000]*
Office of International Religious Freedom	*[6,500]*
of which, religious freedom curriculum development	*[500]*
Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia	*[2,000]*
Atrocities Prevention Training	*[500]*
Special Advisor for International Disability Rights	*[445]*
Bureau of European and Eurasian Affairs	
Office of the Special Envoy for Holocaust Issues	*[750]*
Bureau of Economic and Business Affairs	
Office of Terrorism Financing and Economic Sanctions Policy	*[6,100]*
Bureau of Oceans and International Environmental and Scientific Affairs	41,859
Office of the Legal Advisor	
Document Review Unit	*[2,889]*
Office to Monitor and Combat Trafficking in Persons	13,822
Bureau of Political-Military Affairs	
Office of Weapons Removal and Abatement	*[3,609]*
Office of the Secretary	
Office of Global Women's Issues	*[6,766]*
Office of the Coordinator for Cyber Issues	*[5,497]*
Undersecretary for Civilian Security, Democracy, and Human Rights	*[2,695]*
Special Coordinator for Tibetan Issues	*[1,000]*
Ambassador at Large for Global Criminal Justice	*[3,750]*
Office to Monitor and Combat Anti-Semitism	*[350]*

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Funds allocated for offices and programs under the bureaus listed in the table under this heading that exceed the 2019 congressional budget justification levels for such offices and programs are in addition to funds otherwise made available for such bureaus.

Bureau of Diplomatic Security Staffing.—The conference agreement includes $528,000,000 for salaries for the Bureau of Diplomatic Security (DS). Such funds are available to support the fiscal year 2019 DS hiring plan and for staffing enhancements in fiscal years 2019 and 2020. In conjunction with the operating plan submitted pursuant to section 7070(a) of the Act, the Secretary of State shall submit a plan for the use of such funds for DS staffing enhancements.

Bureau of International Organization Affairs Personnel Levels.—To provide for the proper oversight of funds, facilitate reform at the United Nations and other international organizations, and comply with congressional reporting requirements, the conferees direct the Secretary of State to consult with the Committees on Appropriations with respect to the personnel levels of the Bureau of International Organization Affairs prior to submitting the operating plan required under section 7070(a) of the Act.

Combating Anti-Semitism.—Not later than 45 days after enactment of the Act, the Secretary of State shall submit a report to the Committees on Appropriations on the status of the appointment of a Special Envoy to Monitor and Combat Anti-Semitism.

Emergency Evacuations Reserve.—The conference agreement includes an additional $250,000,000 above the fiscal year 2018 level within the amounts designated for WSP, to be available until expended, as a reserve for costs related to evacuations of United States Government personnel and United States citizens from extraordinary overseas emergencies. Additionally, section 7004(f) of the Act is modified to include Emergencies in the Diplomatic and Consular Service to the transfer authority to facilitate such evacuations.

Expanded Professional Associates Program.—The conference agreement provides funds under this heading for the Expanded Professional Associates Program (EPAP). The conferees direct the Secretary of State to consult with the Committees on Appropriations on the planned funding and personnel levels for EPAP for fiscal year 2019 prior to submitting the operating plan required by section 7070(a) of the Act.

Foreign Affairs Security Training Center.—Not later than 45 days after enactment of the Act, the Secretary of State shall submit to the Committees on Appropriations a progress report on

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the Foreign Affairs Security Training Center project, which shall be updated semi-annually until the completion of the project. The report shall include the requirements described under this heading in the House and Senate reports.

Global Engagement Center.—The conference agreement includes up to $55,400,000 for the Global Engagement Center (GEC), including up to $20,000,000 to counter state propaganda and disinformation. The operating plan required by section 7070(a) of the Act shall include the staffing requirements and on-board staffing levels of the GEC, including the use of detailees, personal service contracts, and direct hires, as well as their foreign language proficiency. The Secretary of State shall consult with the Committees on Appropriations on the intended use of any funds transferred or requested to be transferred to the GEC by the Department of Defense prior to submitting the notifications required by sections 7015(d)(2) and 7015(h)(2)(A) of the Act.

Office to Monitor and Combat Trafficking in Persons.—The conference agreement includes $13,822,000 for the Office to Monitor and Combat Trafficking in Persons for support of activities and directives described in the House and Senate reports, including additional staff to address the increased workload of regional analysts and improve expertise of in-country personnel.

Public Diplomacy.—The conference agreement includes sufficient funds to support public diplomacy programs at not less than the fiscal year 2018 level. In addition, the Secretary of State is directed to include projected funding levels for public diplomacy in the operating plan required by section 7070(a) of the Act.

United States Special Envoy for Sudan and South Sudan.—The conference agreement includes funds for the United States Special Envoy for Sudan and South Sudan. Not later than 45 days after enactment of the Act, the Secretary of State shall consult with the appropriate congressional committees on the timing of the appointment of an individual to such position, and the costs associated with the office of such Envoy.

CAPITAL INVESTMENT FUND

The conference agreement provides $92,770,000 for Capital Investment Fund.

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OFFICE OF INSPECTOR GENERAL

The conference agreement provides $90,829,000 for Office of Inspector General in this title, of which $13,624,000 may remain available until September 30, 2020, and an additional $54,900,000 in title VIII under this heading is for the Special Inspector General for Afghanistan Reconstruction (SIGAR) and is designated for OCO/GWOT pursuant to BBEDCA. The Act waives the requirement of section 209(a)(1) of the Foreign Service Act of 1980, as included in prior fiscal years.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement provides $700,946,000 for Educational and Cultural Exchange Programs, of which not less than $271,500,000 is for the Fulbright Program and $111,860,000 is for the Citizen Exchange Program. Funds under this heading are allocated according to the following table:

EDUCATIONAL AND CULTURAL EXCHANGES

[Budget authority in thousands of dollars]

Program/Activity	Budget Authority
Academic Programs	
Fulbright Program	271,500
Global Academic Exchanges	63,461
Special Academic Exchanges	22,875
Benjamin Gilman International Scholarship Program	*[16,000]*
Subtotal	357,836
Professional and Cultural Exchanges	
International Visitor Program	104,000
Citizen Exchange Program	111,860
Congress-Bundestag Youth Exchange	*[4,125]*
Special Professional and Cultural Exchanges	5,600
Subtotal	221,460
Special Initiatives	
Young Leaders Initiatives	31,250
Countering State Disinformation and Pressure	12,000
Subtotal	43,250

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Program and Performance	8,400
Exchanges Support	70,000
Total	**700,946**

The Secretary of State shall include in the operating plan required by section 7070(a) of the Act the information listed under this heading in the House and Senate reports.

Countering State Disinformation and Pressure.—The conference agreement includes $12,000,000 under this heading to counter state-sponsored disinformation and hybrid threats, promote democracy, and support exchanges with countries facing state-sponsored disinformation and pressure campaigns, particularly in Europe and Eurasia. A portion of the funds shall be made available through a process whereby the Bureau of Educational and Cultural Affairs, Department of State (ECA), solicits proposals from posts located in affected countries.

Citizen Exchange Program.—Funds made available for the Citizen Exchange Program are intended for the purposes described under this heading in the House report.

Fulbright Program.—The conference agreement includes additional funds under this heading for the Fulbright Program for Afghanistan, Egypt, and Pakistan, which in previous fiscal years were appropriated under Economic Support Fund. The total Fulbright allocations for such countries for fiscal year 2019 shall not be less than the total amounts appropriated under this heading and under Economic Support Fund in prior fiscal years for such purposes.

The conference agreement also includes funding for Fulbright initiatives in Korea, the Baltic Sea region, and Eastern Europe at not less than the amounts allocated in, and in a manner consistent with, fiscal year 2018.

Special Academic and Professional and Cultural Exchanges.—The conference agreement includes funds to continue the Special Academic Exchanges and Special Professional and Cultural Exchanges described in the House and Senate reports, including the Benjamin Gilman International Scholarship Program and the Tibetan exchanges and fellowships.

Personnel.—The conference agreement includes $70,000,000 for Exchanges Support for ECA. Funds made available above the prior fiscal year level are for the purpose of hiring to the authorized personnel level contained in the May 22, 2018 Department of State report to Congress. The operating plan required by section 7070(a) of the Act shall include details on how such levels will be achieved.

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Vietnam Education Foundation Act.—The conference agreement includes $5,000,000 under this heading and $5,000,000 under Development Assistance for grants authorized by section 211 of the Vietnam Education Foundation Act of 2000, as amended.

Young Leaders Initiatives.—The conference agreement includes an additional $1,500,000 for the Young African Leaders Initiative and an additional $1,000,000 for the Young Leaders of the Americas Initiative above the prior fiscal year level.

REPRESENTATION EXPENSES

The conference agreement provides $8,030,000 for Representation Expenses, subject to section 7020 of the Act.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement provides $30,890,000 for Protection of Foreign Missions and Officials.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement provides $1,975,449,000 for Embassy Security, Construction, and Maintenance, of which $1,198,249,000 is for Worldwide Security Upgrades (WSU) and $777,200,000 is for other construction, operations, and maintenance.

Acceptance of Gifts for Embassy Construction.—The conferees direct the Secretary of State to notify the Committees on Appropriations not later than 15 days prior to the acceptance of a gift to supplement funds made available under this heading. Such notification shall include the amount, source, and any terms associated with each gift, and the Secretary shall consult with such Committees prior to submitting such notification.

Capital Security Cost Sharing and Maintenance Cost Sharing Programs.—The conference agreement includes not less than $1,025,304,000 for the Department of State share of the Capital Security Cost Sharing (CSCS) and Maintenance Cost Sharing (MCS) Programs, not including additional amounts to be provided from consular revenue.

In addition, the conference agreement directs Federal agencies funded by the Act to provide contributions to the CSCS and MCS Programs at levels consistent with the Benghazi

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Accountability Review Board recommended funding level of $2,200,000,000 for CSCS and $400,000,000 for MCS based on shares determined by the Secretary of State.

Value Engineering.—Any notification submitted to the Committees on Appropriations for a new diplomatic facility justified to such Committees in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2019, or not previously justified to such Committees, shall include confirmation that the Department of State has completed the requisite value engineering studies required pursuant to OMB Circular A–131, Value Engineering December 31, 2013, and the Bureau of Overseas Building Operations Policy and Procedure Directive, P&PD, Cost 02: Value Engineering.

The reference to "Enhanced Notification Requirements" in the House report shall mean "Notification and reporting requirements" under this heading in such report.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement provides $7,885,000 for Emergencies in the Diplomatic and Consular Service.

The conference agreement withholds from obligation $800,000 of the funds made available under this heading until the Secretary of State testifies before the Committees on Appropriations on the fiscal year 2020 budget request. Funds withheld from obligation shall not be from funds necessary for emergency evacuations and the payment of rewards for information related to international terrorism, narcotics related activities, transnational organized crime, and war crimes as authorized by Section 36 of the State Department Basic Authorities Act of 1956. Instead, such withholding should be from funds available under the heading for entertainment, representation, and other related expenses.

REPATRIATION LOANS PROGRAM ACCOUNT

The conference agreement provides $1,300,000 for Repatriation Loans Program Account.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement provides $31,963,000 for Payment to the American Institute in Taiwan.

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The conferees direct that if consular fees collected by the American Institute in Taiwan (AIT) are not sufficient to cover the full cost of AIT's consular operations, the Secretary of State shall make available funds from the Consular and Border Security Program (CBSP) in amounts sufficient to cover the difference between such consular fees and the cost of consular operations. The operating plan submitted for AIT pursuant to section 7070(a) of the Act shall include the anticipated costs of AIT consular operations, an estimate of consular fees anticipated to be collected by AIT, and any anticipated transfers from the CBSP.

INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF COLUMBIA

The conference agreement provides $743,000 for International Center, Washington, District of Columbia.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement provides $158,900,000 for Payment to the Foreign Service Retirement and Disability Fund.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement provides $1,264,030,000 for Contributions to International Organizations in this title, and an additional $96,240,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA.

Unless otherwise provided for in the Act or another provision of law, and with the exception of organizations from which the United States has withdrawn, the conference agreement assumes the payment of the full United States assessment at each respective organization funded under this heading. The Secretary of State shall consult with the Committees on Appropriations prior to submitting the operating plan required by section 7070(a) of the Act for funds appropriated under this heading, including with respect to any decision not to include in such plan the full assessed amount for any organization funded under this heading.

For each organization, department, or agency funded under this heading that is not subject to section 7048(a)(1) of the Act, the Secretary shall assess whether such organization, department, or agency is meeting the requirements of subparagraphs (A) through (C) of such

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section and include such information in the report required by such section. The report shall include such information on an organization-by-organization basis.

The conferees direct the Secretary of State to consult with the Committees on Appropriations on the availability of additional funds for the International Civil Aviation Organization for a contribution to the 40th Triennial Assembly and 75th anniversary events in 2019.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement provides $562,344,000 for Contributions for International Peacekeeping Activities in this title, and an additional $988,656,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA.

Sufficient funds are provided in the conference agreement for United States contributions to peacekeeping missions at the statutory level of 25 percent. Funding for the United States share of the United Nations Support Office in Somalia is provided under Peacekeeping Operations in title VIII instead of under this heading.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

SALARIES AND EXPENSES

The conference agreement provides $48,134,000 for Salaries and Expenses.

CONSTRUCTION

The conference agreement provides $29,400,000 for Construction.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement provides $13,258,000 for American Sections, International Commissions, including $8,052,000 for the International Joint Commission, $2,304,000 for the International Boundary Commission, and $2,902,000 for the Border Environment Cooperation Commission, in the amounts and for the purposes specified under this heading in the Senate report.

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INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement provides $50,651,000 for International Fisheries Commissions. The conference agreement provides funding for the purposes specified under this heading in the Senate report and such funds are allocated according to the following table:

INTERNATIONAL FISHERIES COMMISSIONS

[Budget authority in thousands of dollars]

Commission/Activity		Budget Authority
Great Lakes Fishery Commission		37,290
	Lake Champlain Basin	*[7,000]*
Inter-American Tropical Tuna Commission		1,750
Pacific Salmon Commission		3,685
International Pacific Halibut Commission		4,395
Other Marine Conservation Organizations		3,531
Total		**50,651**

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement provides $798,196,000 for International Broadcasting Operations.

Section 7034(r)(7) of the Act clarifies the name change of the "Broadcasting Board of Governors" (BBG) to the "United States Agency for Global Media" (USAGM).

Of the funds made available under this heading, up to $34,508,000 may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $13,800,000 is for Internet freedom and circumvention programs. In addition, $1,200,000 is included within funds provided for Radio Free Asia (RFA) for the personnel costs associated with Internet freedom activities, bringing the total provided for such programs to not less than $15,000,000. The USAGM is directed to include amounts planned for Internet freedom in fiscal year 2019 as part of the operating plan required by section 7070(a) of the Act and to describe the planned activities in the Internet freedom spend plan required by section 7065(c) of the Act.

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East Asia and the Pacific.—The conference agreement supports the Tibetan language services of the Voice of America (VOA) and RFA.

Latin America.—The conference agreement includes $6,000,000 for the VOA Latin America Division for the purposes specified under this heading in the House report. The USAGM is directed to submit the report required under this heading in the House report to the Committees on Appropriations in the manner described.

Radio Free Asia.—The conference agreement includes $44,223,000 for RFA. Within such amount, additional funds are to be made available to increase the capacity for translation and social media by the Uyghur service of RFA to address the crisis in Xinjiang, China, and directs USAGM to consult with the Committees on Appropriations on plans to increase this capacity.

Funds under this heading are allocated according to the following table:

INTERNATIONAL BROADCASTING OPERATIONS

[Budget authority in thousands of dollars]

Entities/Grantees		Budget Authority
Federal Entities		
International Broadcasting Bureau (IBB)		
IBB Operations		58,576
	Internet Freedom	*[13,800]*
Office of Technology, Services, and Innovation		181,843
Voice of America		250,060
Office of Cuba Broadcasting		29,144
Subtotal		519,623
Independent Grantee Organizations		
Radio Free Europe/Radio Liberty		124,038
Radio Free Asia		44,223
Middle East Broadcasting Networks		110,312
Subtotal		278,573
Total		**798,196**

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement provides $9,700,000 for Broadcasting Capital Improvements.

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RELATED PROGRAMS

THE ASIA FOUNDATION

The conference agreement provides $17,000,000 for The Asia Foundation. Such funds shall be apportioned and obligated to the Foundation not later than 60 days after enactment of the Act.

UNITED STATES INSTITUTE OF PEACE

The conference agreement provides $38,634,000 for United States Institute of Peace. An additional $750,000 above the fiscal year 2018 level is included in the conference agreement to facilitate the Syria Study Group authorized in division G of Public Law 115-254 to review and make recommendations on a diplomatic and military strategy toward Syria. The conferees direct the President of the United States Institute of Peace to consult with the appropriate congressional committees on its plans to facilitate such Group.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

The conference agreement provides $185,000 from interest and earnings from the Center for Middle Eastern-Western Dialogue Trust Fund.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The conference agreement provides $190,000 from interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement provides $68,000 from interest and earnings from the Israeli Arab Scholarship Endowment Fund.

EAST-WEST CENTER

The conference agreement provides $16,700,000 for East-West Center. Such funds shall be apportioned and obligated to the Center not later than 60 days after enactment of the Act.

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NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement provides $180,000,000 for National Endowment for Democracy. Such funds shall be apportioned and obligated to the National Endowment for Democracy (NED) not later than 60 days after enactment of the Act. Of this amount, $117,500,000 shall be allocated in the traditional and customary manner, including for the core institutes.

A total of $62,500,000 is provided for democracy programs, as well as for the next phase of the NED's mid- to long-term strategic approach and response to immediate and unanticipated challenges or opportunities for the promotion of democracy abroad. Of the funds provided above the fiscal year 2018 enacted level for such programs, $4,000,000 is for NED discretionary programs for Burma and $6,000,000 is for NED discretionary programs for North Korea.

Not later than 45 days after enactment of the Act, the NED President is directed to submit a report to the Committees on Appropriations on the proposed uses of funds appropriated under this heading in a manner similar to fiscal year 2018. The NED President should consult with such Committees in advance of any significant deviation from the plans outlined in such report.

Funds appropriated under this heading shall not be subject to prior approval by the Department of State or USAID or to administrative and management surcharges, and minimal expenses, if any, should be charged to general Department of State or USAID operating expenses. The NED shall not be precluded from competitively bidding on other grant solicitations.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The conference agreement provides $675,000 for Commission for the Preservation of America's Heritage Abroad.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The conference agreement provides $4,500,000 for United States Commission on International Religious Freedom, of which $1,000,000 is withheld from obligation until the

AMERICAN OVERSIGHT

Commission consults with the appropriate congressional committees on the steps taken to implement the recommendations of the Independent Review of USCIRF Mission Effectiveness that was conducted pursuant to the United States Commission on International Religious Freedom Reauthorization Act of 2015 (Public Law 114-71). Additionally, the funds withheld are subject to the regular notification procedures of the Committees on Appropriations.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement provides $2,579,000 for Commission on Security and Cooperation in Europe.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The conference agreement provides $2,000,000 for Congressional-Executive Commission on the People's Republic of China.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $3,500,000 for United States-China Economic and Security Review Commission.

WESTERN HEMISPHERE DRUG POLICY COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $1,500,000 for Western Hemisphere Drug Policy Commission, as authorized by title VI of the Department of State Authorities Act, Fiscal Year 2017.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002006

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

The conference agreement provides $1,214,808,000 for Operating Expenses in this title, of which $182,221,000 may remain available until September 30, 2020, and an additional $158,067,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA.

In lieu of the personnel report directed under this heading in the House report, a modified report on personnel is required under section 7073 of the Act.

Changes in Management.—The conferees direct the USAID Administrator to consult with the Committees on Appropriations on any proposed significant or substantive change to USAID guidance or directives related to management services prior to issuing such guidance or directives to USAID posts worldwide.

USAID Overseas Staffing.—The conference agreement includes an additional $25,000,000 above the fiscal year 2018 level for the purpose of increasing overseas staffing. The conferees direct the USAID Administrator to consult with the Committees on Appropriations prior to the submission of the operating plan required by section 7070(a) of the Act with respect to such staffing levels.

CAPITAL INVESTMENT FUND

The conference agreement provides $225,000,000 for Capital Investment Fund, of which not less than $220,400,000 is for the CSCS and MCS Programs.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $76,600,000 for Office of Inspector General, of which $11,490,000 may remain available until September 30, 2020.

The conference agreement includes up to $2,000,000 to support Office of Inspector General (OIG) activities in the West Bank and Gaza: $1,000,000 is provided under this heading

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MULTI-HHS-18-0600-A and 18-604-A-002007

and up to $1,000,000 is provided pursuant to section 7039 of the Act. In addition, the conference agreement provides funding under this heading to support OIG activities and staffing in Afghanistan.

AMERICAN OVERSIGHT

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

The conference agreement provides $8,837,450,000 for Global Health Programs. Funds under this heading are allocated according to the following table and subject to section 7019 of the Act:

GLOBAL HEALTH PROGRAMS

[Budget authority in thousands of dollars]

Program/Activity	**Budget Authority**
Maternal and Child Health	835,000
Polio	*[51,500]*
Maternal and Neonatal Tetanus	*[1,000]*
The GAVI Alliance	*[290,000]*
Nutrition (USAID)	145,000
Micronutrients	*[33,000]*
of which, Vitamin A	*[22,500]*
Iodine Deficiency Disorder	*[2,500]*
Vulnerable Children (USAID)	24,000
Blind Children	*[3,500]*
HIV/AIDS (USAID)	330,000
Microbicides	*[45,000]*
HIV/AIDS (Department of State)	5,720,000
The Global Fund to Fight AIDS, Tuberculosis, and Malaria	*[1,350,000]*
UNAIDS	*[45,000]*
Family Planning/Reproductive Health (USAID)	523,950
Other Infectious Diseases (USAID)	1,259,500
Global Health Security	*[100,000]*
Malaria	*[755,000]*
Tuberculosis	*[302,000]*
of which, Global TB Drug Facility	*[15,000]*
Neglected Tropical Diseases	*[102,500]*
Total	**8,837,450**

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Consultation.—The conferees direct the USAID Administrator to consult with the Committees on Appropriations on the specific uses of funds made available at levels above the previous fiscal year for maternal and child health, nutrition, global health security, and tuberculosis, prior to the obligation of such funds.

Global Health Security.—The conference agreement includes $140,000,000 for Global Health Security, of which $40,000,000 is repurposed from title IX of division J of Public Law 113-235. Of such repurposed funds, $2,000,000 is for the Emergency Reserve Fund, bringing the available balance of the Reserve Fund to $100,000,000 to enable the United States and the international public health community to respond rapidly to emerging health threats.

The conferees note the important role USAID has played in vaccine development for HIV and malaria, and encourage the USAID Administrator to consider the use of global health security funds for vaccine development efforts to prevent and respond to outbreaks from deadly viruses.

Maternal and Neonatal Tetanus.—Funds provided for Maternal and Neonatal Tetanus are for public-private partnerships specifically focused on providing low-cost vaccines for women of childbearing age to prevent tetanus in newborn children.

DEVELOPMENT ASSISTANCE

The conference agreement provides $3,000,000,000 for Development Assistance. Funds for certain programs under this heading are allocated according to the following table and subject to section 7019 of the Act:

DEVELOPMENT ASSISTANCE

[Budget authority in thousands of dollars]

Country/Program	Budget Authority
Africa	
Cameroon	3,000
Chad	3,000
Democratic Republic of Congo	37,594
Malawi higher education	10,000
Niger	11,000
The Gambia democracy programs	2,000

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East Asia and the Pacific		
Philippines		70,000
South and Central Asia		
Bangladesh		89,525
	labor programs	*[3,000]*
	democracy programs	*[8,000]*
Sri Lanka		30,000
Western Hemisphere		
Central America		190,000
Haiti		51,000
	reforestation	*[8,500]*
Global Programs		
Bureau for Food Security		315,960
	Community Development Fund	*[80,000]*
	Feed the Future Innovation Labs	*[55,000]*
	Global Crop Diversity Trust	*[15,000]*
Combating child marriage		11,000
Development Innovation Ventures		23,000
Leahy War Victims Fund		13,500
Low Cost Eyeglasses Pilot Program		2,500
Mobility Pilot Program		1,000
Ocean Freight Reimbursement Program		1,500
Reconciliation Programs		18,000
Trade capacity building		20,000
USAID Advisor for Indigenous Peoples Issues		3,500
Victims of torture		12,000
Wheelchairs		5,000

Low Cost Eyeglasses Pilot Program.—The conference agreement includes $2,500,000 for a low cost eyeglasses pilot program, which shall be implemented in the manner described in the Senate report. The conferees direct the USAID Administrator to consult with the Committees on Appropriations not later than 45 days after enactment of the Act on a plan to implement such program.

Mobility.—Not later than 120 days after enactment of the Act, the USAID Administrator shall submit to the Committees on Appropriations the report required in the House and Senate

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MULTI-HHS-18-0600-A and 18-604-A-002011

reports on efforts by USAID to implement a pilot program to increase access to affordable bicycles in developing countries.

Patrick Leahy War Victims Fund.—The conference agreement includes $13,500,000 for the Leahy War Victims Fund which assists disabled civilian victims of armed conflict, with an emphasis on addressing mobility-related injuries. These resources may be used to improve access to quality habilitation and rehabilitation services and expand economic and social opportunities for disabled civilian victims of armed conflict.

Wheelchair Program.—The conference agreement includes $5,000,000 to improve the availability of, and access to, appropriate wheelchairs and trained wheelchair providers in low and middle income countries. Broader efforts to increase global access to assistive technology contribute to improved access to wheelchairs, and these funds may be used to promote such efforts, including through global partnerships. The conferees direct the USAID Administrator to consult with the Committees on Appropriations not later than 45 days after enactment of the Act on the proposed uses of such funds.

INTERNATIONAL DISASTER ASSISTANCE

The conference agreement provides $3,801,034,000 for International Disaster Assistance in this title, and an additional $584,278,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA. Such funds shall be apportioned to USAID not later than 60 days after enactment of the Act.

TRANSITION INITIATIVES

The conference agreement provides $30,000,000 for Transition Initiatives in this title, and an additional $62,043,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA.

COMPLEX CRISES FUND

The conference agreement provides $30,000,000 for Complex Crises Fund. Congressional notifications submitted for funds made available under this heading shall include the source year of funds being notified. Such funds shall be apportioned to USAID not later than 60 days after enactment of the Act. As in the past, funds appropriated under this heading in this

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MULTI-HHS-18-0600-A and 18-604-A-002012

title are the responsibility of the USAID Administrator. The conferees direct the Secretary of State and the USAID Administrator to provide the Committees on Appropriations semi-annual updates on the status of cumulative unobligated balances and obligated, but unexpended, balances, disaggregated by source year, from funds appropriated under this heading in the Act and prior Acts.

DEVELOPMENT CREDIT AUTHORITY

The conference agreement includes a $55,000,000 limitation on funds that may be transferred from other programs in this title to Development Credit Authority. In addition, $10,000,000 is provided for administrative expenses, which may be transferred to, and merged with, Operating Expenses. A limitation of $1,750,000,000 is included on total loan principal.

ECONOMIC SUPPORT FUND

The conference agreement provides $2,545,525,000 for Economic Support Fund in this title, and an additional $1,172,336,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA. Funds for certain programs under this heading are allocated according to the following table and subject to section 7019 of the Act:

ECONOMIC SUPPORT FUND

[Budget authority in thousands of dollars]

Country/Program		Budget Authority
Africa		
Cameroon		1,000
Counter Lord's Resistance Army (sec. 7042(c))		10,000
Democratic Republic of Congo		37,594
Djibouti		9,000
West Africa anti-slavery programs		2,000
East Asia and the Pacific		
North Korea human rights programs		4,000
People's Republic of China		17,040
Middle East and North Africa		
Lebanon		112,500
	Scholarships	*[12,000]*
Middle East Partnership Initiative scholarship program		20,000
Middle East Regional Cooperation		5,000

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Near East Regional Democracy	52,000
Relief and Recovery Fund	
Refugee Scholarships Program in Lebanon	*[5,000]*
South and Central Asia	
Afghanistan Civilian Assistance Program	10,000
Nepal	75,000
Pakistan Civilian Assistance Program	10,000
Sri Lanka	10,000
Western Hemisphere	
Central America	100,000
Central America Regional Security Initiative	*[100,000]*
Cuba	20,000
Caribbean Energy Security Initiative	2,000
Global Programs	
Ambassador-at-Large for Global Women's Issues	10,000
Atrocities Prevention (sec. 7034(c))	2,500
Conflict and Stabilization Operations	2,500
Disability Programs	7,500
Family Planning/Reproductive Health (USAID)	51,050
Global Concessional Financing Facility (sec. 7071(f))	25,000
House Democracy Partnership	1,900
Organization of American States	9,000
Polio	7,500
Protection of Civil Society Activists and Journalists (sec. 7032(h))	7,500
Reconciliation Programs	12,000

The conference agreement provides funding to support the first through third organizational pillars of the Organization of American States. Within the total provided under this heading, $4,000,000 is for programs to strengthen democracy, and $5,000,000 is for programs to promote and protect human rights, of which not less than $500,000 is for the Office of the Special Rapporteur for Freedom of Expression. Such funds are subject to prior consultation with the Committees on Appropriations.

In lieu of the directives in the House and Senate bills and reports, the agreement includes funds for democracy programs in Cuba.

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MULTI-HHS-18-0600-A and 18-604-A-002014

The conference agreement includes not less than $1,000,000 for programs that provide policy and technical training to information communication technology professionals from developing countries. Such funds should be provided on an open and competitive basis.

The conference agreement continues limitations and conditions on assistance for the West Bank and Gaza from prior fiscal years. Subject to such limitations and conditions in the Act, and the recently enacted Taylor Force Act, the conference agreement includes funds under Economic Support Fund sufficient to meet the level proposed in the President's fiscal year 2019 budget request for programs and activities to foster a resolution to the Israeli-Palestinian conflict. As described in the Congressional Budget Justification, such funds are intended to promote stability and enhance security, including by providing economic opportunities for the Palestinian people and improving access to water, energy, education and health services.

DEMOCRACY FUND

The conference agreement provides $227,200,000 for Democracy Fund, of which $157,700,000 is for the Department of State Human Rights and Democracy Fund, including $7,500,000 to implement section 7032(h) of the Act, and $69,500,000 is for the USAID Center of Excellence for Democracy, Human Rights, and Governance.

The Assistant Secretary for the Bureau of Democracy, Human Rights, and Labor (DRL), Department of State, shall consult with the Committees on Appropriations on the uses of funds provided by the Act for the Human Rights and Democracy Fund that are above the fiscal year 2016 level.

Consistent with prior fiscal years, DRL may use funds appropriated under this heading for administrative expenses.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

The conference agreement provides $760,334,000 for Assistance for Europe, Eurasia and Central Asia.

The agreement includes modified language regarding the use of notwithstanding authority under this heading.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002015

The Secretary of State has not submitted the report required under this heading in the explanatory statement accompanying division J of Public Law 115–31. The Secretary of State is directed to submit the report not later than 30 days after enactment of the Act.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides $2,027,876,000 for Migration and Refugee Assistance in this title, and an additional $1,404,124,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA.

Funds made available under this heading in the Act shall be administered in accordance with the directives in paragraphs (3) and (4) of section 7073(b) of the Act.

The conference agreement includes funding above the fiscal year 2018 level for Migration and Refugee Assistance, including to respond to refugees fleeing economic collapse and repression in Venezuela and to increase support for ongoing efforts to enhance the capacity of the Mexican Commission of Assistance to Refugees to process asylum applications of refugees in Mexico. Not later than 45 days after enactment of the Act, the Assistant Secretary for the Bureau of Population, Refugees, and Migration (PRM), Department of State, shall consult with the Committees on Appropriations on the uses of such funds.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement provides $1,000,000 for United States Emergency Refugee and Migration Assistance Fund. The conference agreement also directs the transfer to Migration and Refugee Assistance of any balances in the Fund that exceed the limitation in paragraph (2) of section 2(c) of the Migration and Refugee Assistance Act of 1962.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $410,500,000 for Peace Corps.

The conference agreement does not include language on the consultation and notification requirements regarding the closure or downsizing of domestic or overseas offices and notes that

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MULTI-HHS-18-0600-A and 18-604-A-002016

these requirements are now contained in Section 203 of the Sam Farr and Nick Castle Peace Corps Reform Act of 2018 (Public Law 115-256). The Director of the Peace Corps is directed to submit a report to the Committees on Appropriations, listing all decisions made during the fiscal year to change the status of offices or country programs and the justifications for such decisions, no later than 30 days after the end of the fiscal year.

MILLENNIUM CHALLENGE CORPORATION

The conference agreement provides $905,000,000 for Millennium Challenge Corporation, including up to $105,000,000 for administrative expenses.

Consistent with section 7015(c) of the Act, the reobligation of funds deobligated by the Millennium Challenge Corporation (MCC) is subject to the regular notification procedures of the Committees on Appropriations. In any notification of reobligation, the MCC shall indicate the Compact or activity that is the source of the deobligation and the year in which the deobligation occurred.

The conference agreement recognizes the authorized funding limitation on the threshold program included in the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act (Public Law 115-167). The Chief Executive Officer of the MCC shall consult with the Committees on Appropriations if a planned threshold program will cause the total amount obligated for purposes of carrying out section 616 of the Millennium Challenge Act of 2003 (Public Law 108-199), as amended, to exceed 5 percent in fiscal year 2019.

INTER-AMERICAN FOUNDATION

The conference agreement provides $22,500,000 for Inter-American Foundation.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

The conference agreement provides $30,000,000 for United States African Development Foundation.

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MULTI-HHS-18-0600-A and 18-604-A-002017

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement provides $30,000,000 for International Affairs Technical Assistance, of which no more than $6,000,000 is for administrative expenses.

The Department of the Treasury OIG is not required to comply with the directive under this heading in the House report.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002018

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement provides $1,497,469,000 for International Narcotics Control and Law Enforcement. Funds for certain programs under this heading are allocated according to the following table and subject to section 7019 of the Act:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

[Budget authority in thousands of dollars]

Country/Program/Activity	Budget Authority
Atrocities prevention (sec. 7034(c))	2,500
Argentina	2,500
Central America	190,000
Central America Regional Security Initiative	*[190,000]*
Combating wildlife trafficking	50,000
Critical flight safety program	10,500
Health monitoring systems	*[5,000]*
Cybercrime and intellectual property rights	10,000
Demand reduction	15,000
Haiti prison assistance	1,500
International Law Enforcement Academy	27,000
International organizations	7,000
Pakistan	40,000
Border security	*[15,000]*
Peru	32,000
Programs to end modern slavery	25,000
Security force professionalization (sec. 7049(a)(5))	3,000
Tajikistan	6,000
Border security	*[3,000]*
Trafficking in persons	45,000
Office to Monitor and Combat Trafficking in Persons	*[36,000]*
Western Hemisphere regional security cooperation	12,500

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002019

Combating Wildlife Trafficking.—Funds included to combat wildlife trafficking should be used to strengthen law enforcement capacity, further partnerships through regional and international cooperation, and provide site-based protection of wildlife. The Secretary of State shall continue to consult with the Committees on Appropriations on the use of aircraft for anti-poaching activities.

Critical Flight Safety Program.—Funds provided for the Critical Flight Safety Program shall be implemented in the manner described under this heading in the House report.

International Organized Crime.—The conference agreement includes $68,150,000 for International Organized Crime, of which $37,500,000 is for programs to further the objectives of Executive Order 13773 on Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking. The remaining funds are provided for programs to combat wildlife trafficking and are from within the $50,000,000 specified in the table above for such programs.

Opioids.—The conference agreement supports Department of State activities to address the flow of illegal opioids into the United States, including: (1) programs to assist the Government of Mexico in securing its borders and reducing poppy cultivation and heroin and synthetic drug production; (2) programs to thwart transnational criminal organizations involved in the trafficking of heroin and fentanyl; (3) diplomatic efforts to strengthen precursor chemical control and training on international treaty obligations related to opioids; (4) measures to strengthen the security of the international postal system to prevent illegal shipments of opioids from entering the United States, particularly from the People's Republic of China (PRC); and (5) global demand reduction programs.

The Secretary of State, in consultation with the heads of other Federal agencies, as appropriate, shall develop an international diplomatic and assistance strategy to stop the flow of opioids into the United States. The strategy shall contain a clear mission statement, goals and objectives, and shall identify the activities and tools necessary to implement the strategy. The strategy shall also include: (1) a description of the activities supported by the Act and prior Acts, including those enumerated in the preceding paragraph; (2) relevant information on efforts by other Federal agencies implementing programs in foreign countries; and (3) steps taken by countries in which opioids are produced or trafficked. Not later than 90 days after enactment of

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MULTI-HHS-18-0600-A and 18-604-A-002020

the Act and after consultation with the appropriate congressional committees, the Secretary shall submit such strategy to such committees.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement provides $864,550,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs. Funds for certain programs are allocated according to the following table and subject to section 7019 of the Act:

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

[Budget authority in thousands of dollars]

Program/Activity	Budget Authority
Nonproliferation programs	297,050
Nonproliferation and Disarmament Fund	*[35,000]*
Export Control and Related Border Security	*[60,000]*
Global Threat Reduction	*[70,000]*
International Atomic Energy Agency	*[94,800]*
Anti-terrorism programs	346,000
Anti-terrorism Assistance	*[182,000]*
Terrorist Interdiction Program	*[43,000]*
Counterterrorism financing	*[12,500]*
Counterterrorism Partnerships Fund	*[108,500]*
Airport and aviation security [non-add]	*[20,000]*
Conventional weapons destruction	196,500
Humanitarian demining	*[159,000]*
of which, Laos	*[30,000]*

Airport and Aviation Security.—The conference agreement includes $20,000,000 to strengthen international airport and aviation security, including passenger and baggage screening, and crisis response. Such funds are derived from Anti-terrorism Assistance and Counterterrorism Partnerships Fund. Not later than 60 days after enactment of the Act, the Secretary of State shall submit a spend plan detailing the proposed uses of such funds by country and program.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002021

PEACEKEEPING OPERATIONS

The conference agreement provides $163,457,000 for Peacekeeping Operations in this title, and an additional $325,213,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA. Funds under this heading are allocated according to the following table and subject to section 7019 of the Act:

PEACEKEEPING OPERATIONS

[Budget authority in thousands of dollars]

County/Program/Activity	Budget Authority
Africa	301,020
Central African Republic	*[8,000]*
Democratic Republic of the Congo	*[5,000]*
Liberia	*[1,000]*
Somalia	*[222,500]*
South Sudan	*[25,000]*
Africa Regional	*[39,520]*
of which, Partnership for Regional East Africa Counterterrorism	*[10,000]*
of which, Africa Conflict Stabilization and Border Security	*[8,170]*
of which, Africa Military Education Program	*[2,000]*
of which, Africa Maritime Security Initiative	*[1,850]*
of which, Africa Regional Counterterrorism	*[15,100]*
of which, Program Management	*[2,400]*
Near East	31,000
Multinational Force and Observers	*[31,000]*
Political-Military Affairs	156,650
Security Force Professionalization (sec. 7049(a)(5))	*[3,000]*

The conference agreement provides $71,000,000 for the Global Peace Operations Initiative. Funds provided above the previous fiscal year should be made available to support the Africa Contingency Operations Training and Assistance program, including to support modernization of training infrastructure.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002022

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement provides $110,778,000 for International Military Education and Training.

The conference agreement provides $3,500,000 for Pakistan, an amount equal to the budget request; $1,000,000 for Greece; and not less than the fiscal year 2018 levels for Malta and Portugal.

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement provides $5,962,241,000 for Foreign Military Financing Program in this title, and an additional $229,372,000 in title VIII under this heading is designated for OCO/GWOT pursuant to BBEDCA.

Funds under this heading for certain countries are allocated according to the following table and subject to section 7019 of the Act:

FOREIGN MILITARY FINANCING PROGRAM

[Budget authority in thousands of dollars]

Country	Budget Authority
Estonia	8,000
Israel	3,300,000
Latvia	8,000
Lithuania	8,000
Peru	1,800

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002023

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement provides $339,000,000 for International Organizations and Programs. Funds under this heading are allocated according to the following table and subject to section 7019 of the Act:

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

[Budget authority in thousands of dollars]

Organizations/Programs	**Budget Authority**
International Chemicals and Toxins Programs	3,175
International Civil Aviation Organization	1,200
International Conservation Programs	7,000
International Development Law Organization	400
International Maritime Organization	325
Montreal Protocol Multilateral Fund	29,000
Organization of American States Development Assistance Programs	500
Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia	50
UN Capital Development Fund	1,100
UN Children's Fund	137,500
of which, Combating female genital mutilation programs	*[5,000]*
UN Democracy Fund	3,000
UN Development Program	80,000
UN Environmental Programs	10,000
UN High Commissioner for Human Rights	9,500
of which, Honduras	*[1,000]*
of which, Colombia	*[1,000]*
UN Human Settlements Program	700
UN Office for the Coordination of Humanitarian Affairs	2,500
UN Population Fund	32,500
UN Special Representative of the Secretary-General for Sexual Violence in Conflict	1,750
UN Trust Fund to End Violence Against Women	1,000
UN Voluntary Fund for Technical Cooperation in the Field of Human Rights	1,150
UN Voluntary Fund for Victims of Torture	6,550
UN Women	8,500
World Meteorological Organization	1,000

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Funds appropriated under this heading shall be made available for core contributions for each entity listed in the above table unless: (1) otherwise provided for in the Act or such table; or (2) the Secretary of State justifies the proposed uses of funds other than for core contributions in the congressional notification submitted for funds under this heading. The Secretary shall consult with the Committees on Appropriations prior to submitting such notification, which shall be submitted not later than June 30, 2019.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

The conference agreement provides $139,575,000 for Global Environment Facility, including $136,563,000 for the seventh replenishment of the Global Environment Facility, which if annualized over four years would equal $546,252,000. In lieu of the directive under this heading in the Senate report, the Secretary of the Treasury shall follow the reporting requirements included under this heading in the Act.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement provides $1,097,010,000 for Contribution to the International Development Association.

Not later than 60 days after enactment of the Act, the Secretary of the Treasury shall submit a report to the Committees on Appropriations detailing the annual budgets of the Inspection Panel and the Compliance Advisor Ombudsman for each of the past five fiscal years, the caseload of each such entity for each of those years, a description of the priorities of the United States Executive Director for such entities, and specific recommendations, including budget and personnel increases, to enhance the capacity of each such entity to effectively carry out its mission.

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CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement provides $47,395,000 for Contribution to the Asian Development Fund.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The conference agreement provides $32,417,159 for Contribution to the African Development Bank.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The conference agreement provides $507,860,806 for Limitation on Callable Capital Subscriptions.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement provides $171,300,000 for Contribution to the African Development Fund.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

The conference agreement provides $30,000,000 for Contribution to the International Fund for Agricultural Development, which if annualized over three years would sum to $90,000,000. In lieu of the directive under this heading in the Senate report, the Secretary of the Treasury shall follow the reporting requirements included under this heading in the Act.

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TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

The conference agreement provides $5,700,000 for Inspector General for the Export-Import Bank of the United States, of which $855,000 may remain available until September 30, 2020.

The Export-Import Bank OIG is not required to comply with the directive under this heading in the House report.

ADMINISTRATIVE EXPENSES

The conference agreement provides $110,000,000 for Administrative Expenses for the Export-Import Bank of the United States, of which $16,500,000 may remain available until September 30, 2020.

RECEIPTS COLLECTED

The conference agreement does not include the authority contained in the Senate bill for the Export-Import Bank to retain collected receipts to fund the Bank's carryover account. Due to the lack of a quorum on its Board of Directors, the Bank was unable to generate enough offsetting collections in fiscal year 2018 to fund its carryover account, and the conferees anticipate that receipts will also not be sufficient in fiscal year 2019. This authority can be reconsidered in fiscal year 2020.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The conference agreement provides $79,200,000 for Noncredit Account of the Overseas Private Investment Corporation.

Inspector General Oversight.—The President of the Overseas Private Investment Corporation (OPIC) shall allocate not less than $1,000,000 to reimburse the USAID OIG in support of the long-term inter-agency agreement for continued oversight of OPIC in fiscal year

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2019, and shall develop an inter-agency agreement with the USAID OIG to continue oversight, including audits, inspections, and investigations, of the newly established United States International Development Finance Corporation (USIDFC) until the new USIDFC Inspector General is operational, if applicable. The OPIC President and USAID Inspector General shall consult with the Committees on Appropriations on such plans. In addition, the reorganization plan required by section 1462 of Public Law 115-254 should include a timeline and milestones for hiring an inspector general and an estimated budget for associated staff and support costs.

PROGRAM ACCOUNT

The conference agreement provides $20,000,000 for Program Account of the Overseas Private Investment Corporation.

TRADE AND DEVELOPMENT AGENCY

The conference agreement provides $79,500,000 for Trade and Development Agency, of which no more than $19,000,000 is for administrative expenses.

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TITLE VII

GENERAL PROVISIONS

The following general provisions are contained in the Act. Each are designated as unchanged or modified from division K of Public Law 115–141:

Section 7001. Allowances and Differentials (unchanged)

Section 7002. Unobligated Balances Report (unchanged)

Not later than 45 days after enactment of the Act, the Secretary of State shall consult with the Committees on Appropriations regarding the application of this section to funds appropriated under International Military Education and Training and Foreign Military Financing Program.

Section 7003. Consulting Services (unchanged)

Section 7004. Diplomatic Facilities (modified)

Subsection (h) directs the Secretary of State to submit quarterly reports on certain projects. Such reports shall include the following information concerning each project: (1) a detailed breakout of the project factors that formed the basis of the initial cost estimate used to justify such project to the Committees on Appropriations, as described under Embassy Security, Construction, and Maintenance in the House report; (2) a comparison of the current project factors as compared to the project factors submitted pursuant to (1), and an explanation of any changes; (3) the impact of currency exchange rate fluctuations on project costs; (4) a copy of the most current working estimate that supports the basis for each report; and (5) a project performance assessment as described under this heading.

Not later than 90 days after enactment of the Act and every 12 months thereafter until completion of such projects, the Secretary of State shall submit to the Committees on Appropriations an updated cost estimate, if applicable, and an on-site assessment of progress and performance prepared by a third party on the projects enumerated in subsection (h).

Sufficient funds are made available under title I of the Act for the Department of State to purchase additional property to more fully secure the site of the New Embassy Compound in Kinshasa, Democratic Republic of the Congo.

Section 7005. Personnel Actions (unchanged)

Section 7006. Department of State Management (modified)

Not later than December 31, 2019, the Secretary of State shall submit a report to the appropriate congressional committees detailing sole-source awards made by the Department of

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State during the previous fiscal year in excess of $2,000,000 which shall be posted on the Department website.

Section 7007. Prohibition Against Direct Funding for Certain Countries (unchanged)

Section 7008. Coups d'État (unchanged)

Section 7009. Transfer of Funds Authority (modified)

Section 7010. Prohibition on Certain Operational Expenses (unchanged)

Section 7011. Availability of Funds (modified)

Section 7012. Limitation on Assistance to Countries in Default (unchanged)

Section 7013. Prohibition on Taxation of United States Assistance (unchanged)

Section 7014. Reservations of Funds (unchanged)

Section 7015. Notification Requirements (modified)

Section 7016. Document Requests, Records Management, and Related Cybersecurity Protections (modified)

Any agency receiving funds made available by the Act shall comply with the directives under the Introduction in the Senate report regarding the public posting of reports, which is similar to the directive contained in section 7077(a) of division K of Public Law 115-141.

Section 7017. Use of Funds in Contravention of this Act (unchanged)

Section 7018. Prohibition on Funding for Abortions and Involuntary Sterilization (unchanged)

Section 7019. Allocations and Reports (modified)

The conference agreement continues the requirement, with certain exceptions and in accordance with the terms and conditions of the Act, that amounts designated in the respective tables referenced in this joint explanatory statement shall be made available in such designated amounts and shall be the basis of the 653(a) report, where applicable.

For the purpose of applying subsection (d)(1), the exception in subparagraph (C) concerning minimum funding requirements of amounts designated by the Act shall be construed to include account levels specified in the applicable tables.

Section 7020. Representation and Entertainment Expenses (unchanged)

Section 7021. Prohibition on Assistance to Governments Supporting International Terrorism (unchanged)

Section 7022. Authorization Requirements (unchanged)

Section 7023. Definition of Program, Project, and Activity (unchanged)

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Section 7024. Authorities for the Peace Corps, Inter-American Foundation and United States African Development Foundation (unchanged)

Section 7025. Commerce, Trade and Surplus Commodities (unchanged)

Section 7026. Separate Accounts (unchanged)

Section 7027. Eligibility for Assistance (unchanged)

Section 7028. Local Competition (unchanged)

Section 7029. International Financial Institutions (modified)

Section 7030. Debt-for-Development (unchanged)

Section 7031. Financial Management and Budget Transparency (modified)

In determining the requirement of subsection (a)(1)(A)(vi) for direct government-to-government assistance, consideration should be given to whether such government has made progress in publicly disclosing its national budget since the most recent assessment, as applicable.

The waiver authority provided in subsection (c)(3) may only be exercised with respect to an individual.

Section 7032. Democracy Programs (modified)

The Act provides a total of not less than $2,400,000,000 for democracy programs. Such funds are not intended for attribution to other sector or program directives included in the Act.

Subsection (a)(2) designates not less than $89,540,000 for DRL for certain countries and regional programs. Such funds are allocated according to the following table and subject to section 7019 of the Act:

BUREAU FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR, DEPARTMENT OF STATE

[Budget authority in thousands of dollars]

Account/Program		Budget Authority
Economic Support Fund		
	Libya	3,000
	Maldives	500
	Middle East Closing Space	2,000
	Near East Regional Democracy	15,000
	North Korea	4,000
	Pakistan	10,000

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People's Republic of China	12,040
[of which, Hong Kong]	*[1,000]*
South Sudan	1,000
Sri Lanka	2,000
Sudan	1,000
Syria	11,000
Venezuela	3,000
West Africa Anti-Slavery	2,000
Yemen-Counter ISIS	1,500
Assistance for Europe, Eurasia and Central Asia	
Europe and Eurasia Regional	19,500
of which, Internet Freedom	*[4,500]*
Uzbekistan	2,000

For the purpose of subsection (c), programs that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens should directly support the development of democratic states and institutions that are responsive and accountable to citizens.

The Secretary of State and USAID Administrator shall follow the directives under this section in the Senate report on program changes, which is similar to language carried in the House bill.

Section 7033. International Religious Freedom (modified)

The conference agreement provides not less than $25,000,000 for international religious freedom programs, including for assistance authorized by the Iraq and Syria Genocide Relief and Accountability Act of 2018. Transitional justice programs should support the efforts of entities, including nongovernmental organizations, to assist in addressing crimes of genocide, crimes against humanity, and war crimes, including in Iraq, Syria, Sri Lanka, and Burma.

Funds provided pursuant to this section are allocated according to the following table and subject to section 7019 of the Act:

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INTERNATIONAL RELIGIOUS FREEDOM

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Democracy Fund	
of which, sec. 7033(b)(1) International Religious Freedom Programs	*[10,000]*
Economic Support Fund	
of which, sec. 7033(b)(2) Protection and Investigation Programs	*[10,000]*
International Narcotics Control and Law Enforcement	
of which, sec. 7033(b)(4) Transitional Justice, Reconciliation, and Reintegration Programs (from Relief and Recovery Fund)	*[5,000]*

The conference agreement includes not less than $1,000,000 for programs to combat anti-Semitism abroad.

In addition to amounts designated in this section for transitional justice, reconciliation, and reintegration, section 7071(b)(2) of the Act includes $5,000,000 from amounts made available under the Relief and Recovery Fund (RRF) for such programs to promote accountability in Iraq and Syria for genocide, crimes against humanity, and war crimes.

Section 7034. Special Provisions (modified)

For purposes of subsection (a), the conference agreement assumes the term "victims of war" includes victims of torture/trauma.

Subsection (e)(7) extends the availability of up to $50,000,000 from funds appropriated under Development Assistance and Economic Support Fund that are made available to support private sector partnerships, with certain requirements. The conferees direct the USAID Administrator to provide the Committees on Appropriations with quarterly updates on the status of funds made available for such purpose and the development of such partnerships.

The Secretary of State and USAID Administrator should provide a direct vetting option for prime awardees in any partner vetting program as referenced in subsection (f). USAID's partner vetting program shall be considered to meet any other requirement to establish, maintain, or implement a partner vetting or similar program.

In addition to the directives in subsection (l), and with respect to the implementation of section 203(a)(2) of Public Law 110-457, the Secretary of State shall consider the following as sufficient to determine that a diplomatic mission "tolerated such actions": the failure to provide

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a replacement passport within a reasonable period of time to a T-visa recipient; the existence of multiple concurrent civil suits against members of the diplomatic mission; or the failure to satisfy a civil judgment against an employee of the diplomatic mission.

Not later than 45 days after enactment of the Act, the Secretary of State shall submit a report to the appropriate congressional committees on steps taken by the Government of Malawi to ensure full payment of the final judgment rendered in November 2016 in the human trafficking case Lipenga v. Kambalame, United States District Court for the District of Maryland, Case No. 8:14-ev-03980. The report shall also include a description of any steps taken pursuant to section 203 of the William Wilberforce Trafficking Victims Protection Reauthorization Act (Public Law 110-457).

Local Works.—Not later than 45 days after enactment of the Act, the USAID Administrator shall post on the USAID website: (1) a description, with illustrative examples, of how Local Works is used to promote locally owned and led development efforts that have as their primary goal the sustainability of results; (2) the criteria for qualifying for Local Works funding; (3) simple guidance for submitting proposals for Local Works funding, including unsolicited proposals; and (4) a copy of the report and strategy required under the heading ''Local Sustainability Awards Program'' in Senate Report 115–152, which shall be retitled ''Local Works''.

Section 7035. Arab League Boycott of Israel (unchanged)

Section 7036. Palestinian Statehood (unchanged)

Section 7037. Restrictions Concerning the Palestinian Authority (unchanged)

Section 7038. Prohibition on Assistance to the Palestinian Broadcasting Corporation (unchanged)

Section 7039. Assistance for the West Bank and Gaza (modified)

The conference agreement does not include the statutory reporting requirement carried in section 7039(g) of division K of Public Law 115-141. Such reporting requirement is contained in section 7041 of the Senate report under West Bank and Gaza, and the conferees direct the Secretary of State to comply with such requirement in the manner described.

Section 7040. Limitation on Assistance for the Palestinian Authority (unchanged)

Section 7041. Middle East and North Africa (modified)

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Egypt.—Funds for Egypt are allocated according to the following table and subject to section 7019 of the Act:

EGYPT

[Budget authority in thousands of dollars]

Account	Budget Authority
Economic Support Fund	112,500
International Narcotics Control and Law Enforcement	2,000
Nonproliferation, Anti-terrorism, Demining and Related Programs	3,000
International Military Education and Training	1,800
Foreign Military Financing Program	1,300,000
Total	**1,419,300**

The conference agreement includes not less than $10,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education in Egypt in the manner described under this section in the House and Senate reports. Funds for Fulbright Scholarships are provided under Educational and Cultural Exchange Programs and are not intended to come from funds designated under this heading. Not later than 45 days after enactment of the Act, the Secretary of State, in consultation with the USAID Administrator, shall consult with the Committees on Appropriations on the intended uses of funds made available for scholarships in Egypt.

For the purpose of the certification required under subsection (a)(3)(A)(v), such cases include the murder of Giulio Regeni.

The conference agreement requires that an assessment of the Government of Egypt's compliance with United Nations Security Council Resolution 2270 and other such resolutions regarding North Korea be included in the report accompanying any waiver exercised by the Secretary of State pursuant to subsection (a)(3)(B). Illicit arms sales and trafficking are a source of significant revenue for the North Korean regime and present an increasing threat to United States national security and global stability.

Not later than 60 days after enactment of the Act, the Secretary of State shall submit a report to the appropriate congressional committees assessing actions taken by the Government of Egypt to provide fair compensation to American citizen April Corley for injuries and losses sustained during an attack by Egyptian armed forces on September 13, 2015.

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Iraq.—Funds for Iraq are allocated according to the following table and subject to section 7019 of the Act:

IRAQ

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Economic Support Fund	150,000
of which, Stabilization assistance	*[50,000]*
of which, other country programs	*[100,000]*
Marla Ruzicka Iraqi War Victims Fund (non-add)	*[7,500]*
Democracy programs (non-add)	*[60,000]*
Higher education/Scholarships (non-add)	*[10,000]*
International Narcotics Control and Law Enforcement	5,601
International Military Education and Training	1,000
Foreign Military Financing Program	250,000

The Secretary of State shall implement the directives in the House and Senate reports regarding support for American-style higher education institutions in Iraq in the respective manners described, except that $10,000,000 shall be made available for such purposes.

The conference agreement includes funds and authority for stabilization and recovery assistance to support the safe return of displaced ethnic and religious minorities to their communities.

Jordan.—In addition to the amounts designated in the Act for Economic Support Fund and Foreign Military Financing Program for assistance for Jordan, the conference agreement includes not less than $13,600,000 under Nonproliferation, Anti-terrorism, Demining and Related Programs and not less than $4,000,000 under International Military Education and Training for assistance for Jordan. Section 7071(b)(3)(A) of the Act makes an additional $50,000,000 available for assistance for Jordan from prior year RRF.

Lebanon.—$10,000,000 shall be made available for a contribution to the Special Tribunal for Lebanon from no-year Economic Support Fund balances that remain available for obligation. Such funds are in addition to funds otherwise made available by the Act for assistance for Lebanon.

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Libya.—The conference agreement includes not less than $30,000,000 under the RRF for stabilization assistance for Libya, including for border security programs.

Section 7015(j) of the Act regarding notification of assistance diverted or destroyed shall apply to funds made available for assistance for Libya.

Morocco.—Funds for Morocco are allocated according to the following table and subject to section 7019 of the Act:

MOROCCO

[Budget authority in thousands of dollars]

Account	Budget Authority
Economic Support Fund	20,000
International Narcotics Control and Law Enforcement	5,000
Nonproliferation, Anti-terrorism, Demining and Related Programs	1,500
International Military Education and Training	2,000
Foreign Military Financing Program	10,000

Refugee Assistance in North Africa.—In lieu of the statement regarding United Nations Security Council Resolution 2351 in the House report, subsection (h) includes a reporting requirement regarding the delivery of humanitarian assistance to refugees in North Africa.

Syria.—The conference agreement includes $40,000,000 for stabilization assistance for Syria, including for emergency medical and rescue response and chemical weapons use investigation and documentation.

The Secretary of State shall consult with the appropriate congressional committees on the areas inside Syria where funds made available pursuant to this section in the Act and prior Acts may be used.

Tunisia.—The conference agreement provides not less than $191,400,000 for assistance for Tunisia. Such funds are allocated according to the following table and subject to section 7019 of the Act:

TUNISIA

[Budget authority in thousands of dollars]

Account	Budget Authority
Economic Support Fund	85,000
International Narcotics Control and Law Enforcement	13,000

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Nonproliferation, Anti-terrorism, Demining and Related Programs	6,100
International Military Education and Training	2,300
Foreign Military Financing Program	85,000

Section 7071(b)(3)(B) of the Act makes an additional $50,000,000 available for assistance for Tunisia from prior year RRF.

West Bank and Gaza.—Of the funds appropriated by the Act and prior Acts, up to $50,000,000 may be made available for the purpose of subsection (k)(4) regarding private sector partnership programs, if authorized.

Not later than 45 days after enactment of the Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing assistance for the West Bank and Gaza appropriated in prior Acts by fiscal year, account, and program that are withheld from obligation or disbursement, the specific reason for such withholding, and the impact of such withholding on the welfare of the Palestinian people and the national interests of the United States, Israel, and Jordan. The report shall also include a description of any policy review on assistance for the West Bank and Gaza undertaken by the Department of State, USAID, or any other Federal entity, including the date on which the review was initiated, the participants in the review, any consultations by such participants with foreign or nongovernmental entities, and the findings of the review, if concluded.

Yemen.—Funds in the Act for assistance for Yemen shall be made available for stabilization and humanitarian assistance, including for United Nations stabilization and governance facilities.

Section 7042. Africa (modified)

Africa Counterterrorism.—Similar to prior years, the conference agreement includes $25,730,000 for the Partnership for Regional East Africa Counterterrorism and $90,803,000 for the Trans-Sahara Counterterrorism Partnership.

Democratic Republic of the Congo.—The conference agreement includes a total of $75,188,000 for assistance for the Democratic Republic of the Congo under Development Assistance and Economic Support Fund.

Ethiopia.—The conferees do not support the use of funds to further policies or activities that would result in forced displacement in Ethiopia. Funds made available by the Act or prior

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Acts to support activities intended to improve livelihoods shall include prior consultation with, and the participation of, affected communities, including in the South Omo and Gambella regions.

Horn of Africa.—The conferees encourage the Department of State and USAID to explore diplomatic and foreign assistance opportunities in furtherance of peace in the Horn of Africa.

Lake Chad Basin Countries.—Funds made available pursuant to subsection (d) shall be made available to support populations at risk from violent attacks and kidnappings by Boko Haram, and to support victims of such attacks and individuals who have escaped captivity, including to meet the unique needs of women and girls.

In order to effectively support implementation and oversight of assistance made available pursuant to subsection (d), the conferees direct the USAID Administrator, after consultation with the appropriate congressional committees, to increase the number of USAID personnel in Cameroon, Chad, and Niger above fiscal year 2018 levels. Not later than 90 days after enactment of the Act, the USAID Administrator shall submit a report to the appropriate congressional committees detailing steps taken, and steps planned to be taken, to implement such directive.

Power Africa.—The conference agreement includes not less than the fiscal year 2017 funding level for the Power Africa initiative.

South Sudan.—The conference agreement includes not less than $100,154,000 for assistance for South Sudan under Development Assistance and Global Health Programs.

The conference agreement does not include the certification requirement on assistance for the central Government of South Sudan. Such certification has not been made in prior fiscal years, and the conditions necessary for such certification to be made do not exist. Assistance for such government may not be made available except for the specific uses listed in subsection (f).

Not later than 60 days after enactment of the Act, the Secretary of State, in consultation with the USAID Administrator, shall submit an update to the strategy required in section 7042(i) of division J of Public Law 115-31.

The Secretary of State should encourage the Government of South Sudan to prioritize the identification of a site for a New Embassy Compound in Juba, South Sudan.

Section 7043. East Asia and the Pacific (modified)

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Burma.—The conference agreement provides $120,500,000 for assistance for Burma. Funds are allocated according to the following table and subject to section 7019 of the Act:

BURMA

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Economic Support Fund	86,450
Documentation of human rights violations against Rohingya	*[3,000]*
Documentation of human rights violations in Burma	*[750]*
International Narcotics Control and Law Enforcement	3,500

For the purpose of subsection (a)(1)(B)(vi), funds made available for programs to investigate and document allegations of ethnic cleansing and other gross violations of human rights committed against the Rohingya people in Rakhine state shall be made available for civil society organizations in Bangladesh and Burma. Prior to the obligation of any such funds, the Assistant Secretary for DRL shall ensure the establishment of a standard documentation format and documentation procedures for use by such organizations, and shall identify an appropriate repository for such information.

For the purpose of subsection (a)(1)(B)(vii), funds made available for programs to investigate and document allegations of gross violations of human rights committed in Burma shall be made available for civil society and international organizations, including those in countries bordering Burma.

For the purpose of the certification required in subsection (a)(1)(C)(iv), the Government of Burma's commitments under the Nationwide Ceasefire Agreement include: (1) the regular holding of participatory dialogues among stakeholder communities; (2) a dialogue process that includes all parties to the civil wars; (3) the involvement of international third parties in the Joint Ceasefire Monitoring Committee as observers and technical advisors; and (4) the development of a Union Accord for Peace that will lead to constitutional change and resolution of the causes of the civil wars.

Prior to the obligation of funds appropriated by the Act for assistance for Burma, the Secretary of State shall consult with the Committees on Appropriations on the planned uses of funds for Rakhine state, including any contributions for implementation of the August 2017 Final

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Report of the Advisory Commission on Rakhine State entitled "Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine".

Not later than 90 days after enactment of the Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing the extent of military cooperation between Burma and North Korea, and steps taken by the Government of Burma to: (1) respect human rights and the rule of law, including protection of media freedom; (2) revise, update, and repeal colonial-era and other oppressive laws, including the Unlawful Associations Act, that are used in prosecution of journalists and other civil society actors in Burma; and (3) credibly investigate the murder of U Ko Ni.

Cambodia.—No funds are included under International Military Education and Training and Foreign Military Financing Program for assistance for Cambodia.

CAMBODIA

[Budget authority in thousands of dollars]

Account	Budget Authority
Economic Support Fund	0
International Narcotics Control and Law Enforcement (bilateral assistance only)	0
International Military Education and Training	0
Foreign Military Financing Program	0

Counter Influence Programs.—The Secretary of State shall incorporate the counter influence strategy regarding the PRC required by section 7043(e)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76) into the Indo-Pacific Strategy (IPS), and shall submit a report to the appropriate congressional committees describing in detail such incorporation, in classified form if necessary, including a summary of funding by fiscal year provided for such counter influence strategy. Funds made available under title I of the Act shall be made available for public diplomacy programs to counter the influence of the PRC globally.

Indonesia.—The conference agreement provides $132,025,000 for assistance for Indonesia. Funds are allocated according to the following table and subject to section 7019 of the Act:

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INDONESIA

[Budget authority in thousands of dollars]

Account	Budget Authority
Development Assistance	63,000
International Narcotics Control and Law Enforcement	10,625
Nonproliferation, Anti-terrorism, Demining and Related Programs	6,000
International Military Education and Training	2,400
Foreign Military Financing Program	14,000

Indo-Pacific Strategy.—The conference agreement provides not less than $160,000,000 for the IPS, of which $65,000,000 is under Development Assistance, $50,000,000 is under Economic Support Fund, $30,000,000 is under International Narcotics Control and Law Enforcement, and $15,000,000 is under Foreign Military Financing Program.

The Secretary of State shall follow the directives contained in the Senate report regarding the IPS, including submission of the IPS to the appropriate congressional committees prior to the obligation of funds made available for such purposes in the Act.

Not later than 45 days after enactment of the Act, the Secretary of State, in consultation with the USAID Administrator, shall submit to the Committees on Appropriations a report on the funds made available for the IPS in prior Acts, including through reprogrammings. The report shall specify such funds by fiscal year, amount, and account. The report shall include a brief description of the activity from which funds were reprogrammed.

Laos.—The conference agreement includes $30,000,000 to support the goal of the Government of the Lao People's Democratic Republic (PDR) to eliminate unexploded ordnance as a barrier to national development. The comprehensive cluster munitions survey funded in prior Acts is expected to help the Lao PDR quantify the contamination and prioritize areas and resources for clearing it. The Act provides notwithstanding authority to ensure that the humanitarian clearance of unexploded ordnance and related activities can continue uninterrupted.

The conference agreement also includes $3,500,000 for nutrition programs for Lao PDR under Global Health Programs.

North Korea.—The conference agreement includes $10,000,000 for the promotion of human rights in North Korea, of which $6,000,000 is under National Endowment for Democracy and $4,000,000 is under Economic Support Fund to be administered by DRL.

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People's Republic of China.—The Secretary of State and USAID Administrator are directed to provide no assistance to the central Government of the PRC under Global Health Programs, Development Assistance, and Economic Support Fund, except for assistance to detect, prevent, and treat infectious diseases.

Thailand.—Funds for assistance for Thailand are allocated according to the following table and subject to section 7019 of the Act:

THAILAND

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Development Assistance	2,500
Economic Support Fund	4,000
of which, democracy and reconciliation programs	*4,000*
International Narcotics Control and Law Enforcement	2,000
Nonproliferation, Anti-terrorism, Demining and Related Programs	2,000
International Military Education and Training	0

The conference agreement does not include assistance for Thailand under International Military Education and Training, which is prohibited due to the application of section 7008 of the Act. National elections in Thailand are scheduled for February 2019, and the Committees on Appropriations will consider resuming such assistance if a democratically elected government has taken office. The use of section 614 of the Foreign Assistance Act of 1961 to circumvent the restriction on assistance for Thailand contained in section 7008 of prior Acts has not been justified.

Timor-Leste.—Funds for assistance for Timor-Leste are allocated according to the following table and subject to section 7019 of the Act:

TIMOR-LESTE

[Budget authority in thousands of dollars]

Account	Budget Authority
Development Assistance	16,000
International Military Education and Training	200

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Vietnam.—The conference agreement provides $149,250,000 for assistance for Vietnam. Funds are allocated according to the following table and subject to section 7019 of the Act:

VIETNAM

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Development Assistance	57,750
of which, Vietnam Education Foundation Act of 2000	5,000
Economic Support Fund	27,500
of which, reconciliation programs	1,000
International Narcotics Control and Law Enforcement	6,000
International Military Education and Training	1,500
Nonproliferation, Anti-terrorism, Demining and Related Programs	15,000
humanitarian demining	*[15,000]*
Foreign Military Financing Program	12,000

Subsection (h)(3) provides funds for reconciliation programs in Vietnam to address war legacy issues.

Section 7044. South and Central Asia (modified)

Afghanistan.—Concurrent with submission of the spend plan required by section 7070(b) of the Act, the Secretary of State shall submit to the Committees on Appropriations a report detailing the following: (1) goals and benchmarks established by the Governments of the United States and Afghanistan for the use of assistance made available by the Act and the status of achieving such goals and benchmarks; (2) laws and policies implemented by the Government of Afghanistan to govern democratically and protect the rights of individuals, civil society, and the media; (3) an assessment of steps taken by the Government of Afghanistan to protect the rights of women and girls; (4) whether the Government of Afghanistan is effectively implementing a whole-of-government, anti-corruption strategy that has been endorsed by the High Council on Rule of Law and Anti-Corruption, as agreed to at the Brussels Conference on Afghanistan in October 2016, and is prosecuting individuals alleged to be involved in corrupt or illegal activities in Afghanistan; (5) monitoring and oversight frameworks for programs implemented, including in areas under the control of the Taliban or other extremist organizations; and (6) if the Government of Afghanistan is publicly reporting its national budget, including revenues and expenditures.

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In preparing the goals and benchmarks for such report, the Secretary of State, in consultation with the USAID Administrator, shall review and consolidate the goals and benchmarks contained in the South Asia Strategy, the Revised Strategy for United States Engagement in Afghanistan, the USAID Country Development Cooperation Strategy for Afghanistan, and other relevant United States or bilateral strategies supported by funds made available by the Act and prior Acts. The goals and benchmarks included in such report should reflect such review and consolidation.

Prior to exercising the authority in subsection (a)(2)(A)(ii), the Secretary of State and USAID Administrator, as appropriate, shall consult with the Committees on Appropriations on the proposed reconciliation program or disarmament, demobilization, and reintegration activity to be supported with funds appropriated by the Act and made available for assistance for Afghanistan.

Funds appropriated by the Act and prior Acts under Diplomatic Programs and Embassy Security, Construction, and Maintenance may be made available to establish/reestablish and maintain one or more Embassy Branch Offices in Afghanistan, following consultation with, and subject to the regular notification procedures of, the Committees on Appropriations. Not later than 90 days after enactment of the Act, the Secretary of State shall submit to the Committees on Appropriations a report detailing the criteria for the establishment/reestablishment of Embassy Branch Offices in Afghanistan, including the security requirements to establish/reestablish such offices.

The SIGAR shall update the assessment of the implementation of the Afghanistan National Strategy for Combating Corruption by the Government of Afghanistan, including efforts to prosecute individuals alleged to be involved in corrupt or illegal activities.

Not later than 90 days after enactment of the Act, the Secretary of State shall submit to the Committees on Appropriations an assessment of the dollar value of improper taxes or fees levied by the Government of Afghanistan against United States companies and organizations in fiscal year 2018.

India.—The conference agreement provides $112,000,000 for assistance for India. Funds are allocated according to the following table and subject to section 7019 of the Act:

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INDIA

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Development Assistance	25,000
Environment programs	*[12,750]*
Economic Support Fund	16,500
Technical assistance to India's Development Partnership Administration	*[5,000]*
Nonproliferation, Anti-terrorism, Demining and Related Programs	2,800
International Military Education and Training	1,500

Maldives.—Funds for assistance for Maldives are allocated according to the following table and subject to section 7019 of the Act:

MALDIVES

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Development Assistance	1,500
Environment programs	*[1,500]*
Economic Support Fund	2,000
International Military Education and Training	400
Foreign Military Financing Program	400

Pakistan.—In October 2018, Asia Bibi was cleared of blasphemy charges after spending eight years under sentence of death. There is ongoing concern for her safety in Pakistan, and her freedom to exercise her right to seek asylum in another country.

Not later than 90 days after enactment of the Act, the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of funds for the Afghan Civilian Assistance Program and the Pakistan Civilian Assistance Program to assist civilians who have been harmed as a result of military operations.

The conference agreement includes $5,000,000 under International Narcotics Control and Law Enforcement for the recruitment, retention, and professionalization of women in the police forces of Pakistan.

Not later than 45 days after enactment of the Act, the Secretary of State shall submit a report to the Committees on Appropriations describing United States security assistance policy toward Pakistan, including: (1) a description of funds made available by the Act and prior Acts

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that were suspended by such policy (by account and fiscal year); (2) the intended goals and objectives for the suspension of such funds; and (3) progress made toward achieving such goals.

Section 7045. Latin America and the Caribbean (modified)

Central America.—The conference agreement provides assistance for countries in Central America, including to implement the United States Strategy for Engagement in Central America.

Funds for the Central America Regional Security Initiative are allocated according to the following table and subject to section 7019 of the Act:

CENTRAL AMERICA REGIONAL SECURITY INITIATIVE

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Economic Support Fund	100,000
Mission to Support the Fight Against Corruption and Impunity in Honduras	*[3,000]*
International Narcotics Control and Law Enforcement	190,000
DNA forensic technology	*[8,000]*
International Commission Against Impunity in Guatemala	*[6,000]*
Mission to Support the Fight Against Corruption and Impunity in Honduras	*[2,000]*

Other funds provided for assistance for countries in Central America are allocated according to the following table and subject to section 7019 of the Act:

OTHER ASSISTANCE FOR CENTRAL AMERICA

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Global Health Programs	13,000
Guatemala	*[13,000]*
Development Assistance	190,000
Transfer to Inter-American Foundation	*[10,000]*
Nonproliferation, Anti-terrorism, Demining and Related Programs	500
Panama	*[500]*
International Military Education and Training	4,100
Foreign Military Financing Program	30,000

The conference agreement provides the Secretary of State with flexibility to allocate funds among countries in the Northern Triangle. Such funds should be allocated based on the

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progress made by each country in the areas of prosperity, security, and governance since 2014, including progress made toward meeting the conditions in prior Acts, and the demonstrated commitment to reform by each central government, including reforms that will reduce illegal migration and reduce corruption and impunity. The Secretary shall specify country levels and include a justification for the allocation of funds (based on such progress and demonstrated commitment) in a single spend plan submitted pursuant to section 7070(b) of the Act.

Not later than 60 days after enactment of the Act and prior to the submission of the spend plan, the Secretary of State, in coordination with the USAID Administrator, shall issue a progress report based on the existing plan for monitoring and evaluation. The report shall be submitted to the appropriate congressional committees and the information contained in the report shall be posted on the Department of State and USAID websites in a timely manner. The report should inform the justification for the allocation of funds in the spend plan, and congressional notifications submitted for countries in Central America shall describe how programs align with such plan for monitoring and evaluation.

The Secretary of State, in coordination with the USAID Administrator, shall establish a cost-matching requirement that leverages from the governments of El Salvador, Guatemala, and Honduras $5 for every $1 made available by the Act for each country. Congressional notifications submitted for such countries shall include a detailed description of the implementation of this requirement.

Subsection (a)(1) includes modified language withholding 50 percent of the assistance made available for each of the central governments of El Salvador, Guatemala, and Honduras, until the Secretary of State certifies and reports that such government is meeting certain conditions. In making such certification, the Secretary of State shall consider the following: (1) relating to subparagraph (E), whether the autonomous entity operates transparently and is representative of a broad cross section of society; (2) relating to subparagraph (G), whether the government is increasing the capacity and independence of the judiciary and the Office of the Attorney General, including on civil, criminal, and tax matters, and whether the government is implementing international best practices to ensure due process; (3) relating to subparagraph (J), whether such personnel include military and police commanding officers and that they are cooperating in such cases; (4) relating to subparagraph (N), whether the government is protecting the rights of human rights defenders and other civil society activists, trade unionists, and

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journalists; (5) relating to subparagraph (O), whether the government is implementing tax reforms that increase government revenue and transparency in the tax collection system, and that strengthen customs agencies; and (6) relating to subparagraph (P), whether the government is resolving commercial disputes between United States entities and such government, including the confiscation of real property, and increasing the timeliness of reimbursements to United States businesses. The Secretary shall include such information in the report accompanying the certification.

The conference agreement supports efforts to strengthen the rule of law by combating corruption and impunity in Central America by providing: (1) $6,000,000 for the International Commission against Impunity in Guatemala; (2) $5,000,000 for the Mission to Support the Fight against Corruption and Impunity in Honduras; and (3) $20,000,000 for the offices of the Attorneys General/Public Ministries of El Salvador, Guatemala, and Honduras. In allocating funds for these purposes, the Secretary of State should consider the capacity, record, and commitment to the rule of law of each office. The spend plan shall describe the amounts and proposed uses of funds for these entities.

The conference agreement includes not less than $6,000,000 for programs to address sexual and gender-based violence in the Northern Triangle.

The conference agreement provides $40,725,000 for assistance for Costa Rica. Such funds, which are derived from within the amounts specified in the "Central America Regional Security Initiative" and "Other Assistance for Central America" tables above, are allocated according to the following table and subject to section 7019 of the Act:

COSTA RICA

[Budget authority in thousands of dollars]

Account/Program	**Budget Authority**
International Narcotics Control and Law Enforcement	32,500
Central America Regional Security Initiative	*[32,500]*
International Military Education and Training	725
Foreign Military Financing Program	7,500

The conference agreement does not include funding for Nicaragua under title IV. Assistance provided for Nicaragua should only be for programs that promote democracy and the rule of law, and no funds are included for assistance for the central Government of Nicaragua.

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Colombia.—Subsection (b)(1) provides not less than $418,253,000 for assistance for Colombia. Such funds are allocated according to the following table and subject to section 7019 of the Act:

COLOMBIA

[Budget authority in thousands of dollars]

Account/Program	Budget Authority
Economic Support Fund	187,328
Afro-Colombian and indigenous communities	*[20,000]*
Human rights	*[9,000]*
Biodiversity	*[5,000]*
International Narcotics Control and Law Enforcement	170,000
Investigations and prosecutions of human rights violations	*[10,000]*
Investigations and prosecutions of environmental crimes	*[1,000]*
Nonproliferation, Anti-terrorism, Demining and Related Programs	21,000
International Military Education and Training	1,400
Foreign Military Financing Program	38,525

The conference agreement provides resources above the fiscal year 2018 level under International Narcotics Control and Law Enforcement to bolster Colombia's drug eradication and interdiction efforts and enhance rural security.

The spend plan submitted pursuant to section 7070(b) of the Act for assistance for Colombia shall describe in detail the proposed uses of funds by account and activity, including the activities specified in subsection (b)(1)(A) through (F) of this section, and the amounts made available from prior Acts for such activities.

The report accompanying the certification submitted pursuant to subsection (b)(3) shall include metrics and related information to support such certification.

For the purposes of subsections (b)(4)(B) and (b)(4)(C) respectively, the terms "those responsible" and "senior military officers responsible" shall include the intellectual authors of such crimes. The Secretary of State should not submit the report directed in the House report under this section regarding justice and rule of law activities.

Haiti.—The Secretary of State, in coordination with the USAID Administrator, shall review the sustainability of programs funded by the Act and prior Acts for assistance for Haiti and, not later than 120 days after enactment of the Act, submit a report to the Committees on

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Appropriations detailing the findings of such review. The review shall examine programs funded since the 2010 earthquake to determine whether such programs were sustained, reasons why such programs were or were not sustained, and recommendations for current and future programing in order to increase program sustainability. The Secretary and USAID Administrator shall consult with the Committees on Appropriations on this report not later than 30 days after enactment of this Act.

In lieu of the directives in the House and Senate reports under this heading regarding border security and controls, the Secretary of State is directed to work with the governments of Haiti and the Dominican Republic to develop plans to strengthen border security and control. Such plan should improve security, enhance customs operations, increase transparency, and minimize corruption. Not later than 90 days after enactment of the Act, the Secretary, in consultation with the USAID Administrator, shall submit to the Committees on Appropriations a report on such efforts, including a description of the uses of funds made available or intended to be made available by the Act and prior Acts to support such plans.

The conference agreement provides $1,500,000 for Haiti prison assistance in the manner described under this heading in the Senate report.

The report required under this heading in the Senate report shall be submitted prior to the obligation of assistance for Haiti, but not later than 45 days after enactment of the Act.

Venezuela.—Subsection (d) provides $17,500,000 under Economic Support Fund for democracy and rule of law programs for Venezuela. The conference agreement does not include funding for Venezuela under title IV or for the central government.

The conference agreement supports assistance for Venezuelan refugees and migrants and the countries and communities impacted by such populations. Not later than 90 days after enactment of the Act, the Secretary of State, in consultation with the USAID Administrator, shall submit to the appropriate congressional committees a strategy for assisting such individuals, countries, and communities. The strategy shall describe how funds made available in the Act and prior Acts will support international and host country efforts to provide essential services for Venezuelan refugees and migrants and support host communities. The strategy shall also describe actions taken or planned to be taken by international organizations to support such activities. The Secretary of State and USAID Administrator shall consult with the appropriate congressional committees on such strategy not later than 30 days after enactment of the Act.

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Caribbean Basin Security Initiative.—The conference agreement provides $58,000,000 for the Caribbean Basin Security Initiative. Such funds are allocated according to the following table and subject to section 7019 of the Act:

CARIBBEAN BASIN SECURITY INITIATIVE

[Budget authority in thousands of dollars]

Account	Budget Authority
Economic Support Fund	25,250
International Narcotics Control and Law Enforcement	25,250
Foreign Military Financing Program	7,500

Mexico.—The conference agreement provides $162,660,000 for assistance for Mexico. Such funds are allocated according to the following table and subject to section 7019 of the Act:

MEXICO

[Budget authority in thousands of dollars]

Account	Budget Authority
Economic Support Fund	45,000
International Narcotics Control and Law Enforcement	110,000
Nonproliferation, Anti-terrorism, Demining and Related Programs	1,160
International Military Education and Training	1,500
Foreign Military Financing Program	5,000

The Secretary of State shall follow the directive under this section in the Senate report regarding Foreign Military Financing Program assistance for Mexico. The Secretary of State should not submit the report directed under this section in the House report regarding Mexico.

Other Assistance for Latin America and the Caribbean.—Funds provided for assistance for Peru should support counternarcotics programs. Additional funds should be made available to expand such programs if the Government of Peru decides to implement them in the Valley of the Apurimac, Ene, and Mantaro Rivers.

Funds provided for Western Hemisphere regional security cooperation are in addition to amounts otherwise provided for bilateral and regional programs under International Narcotics Control and Law Enforcement.

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Section 7046. Europe and Eurasia (modified)

Georgia.—The conference agreement provides not less than $127,025,000 for assistance for Georgia. Such funds are allocated according to the following table and subject to section 7019 of the Act:

GEORGIA

[Budget authority in thousands of dollars]

Account	Budget Authority
Assistance for Europe, Eurasia and Central Asia	83,025
International Narcotics Control and Law Enforcement	5,700
Nonproliferation, Anti-terrorism, Demining and Related Programs	1,100
International Military Education and Training	2,200
Foreign Military Financing Program	35,000

The Secretary of State shall consult with the Committees on Appropriations prior to submitting the report required under this heading in the House report.

Ukraine.—The conference agreement provides not less than $445,700,000 for assistance for Ukraine. Within this total, funds are allocated according to the following table and subject to section 7019 of the Act:

UKRAINE

[Budget authority in thousands of dollars]

Account	Budget Authority
Assistance for Europe, Eurasia and Central Asia	250,000
International Narcotics Control and Law Enforcement	30,000
Nonproliferation, Anti-terrorism, Demining and Related Programs	15,000
International Military Education and Training	2,900
Foreign Military Financing Program	115,000

The conference agreement includes additional assistance under Global Health Programs.

Turkey.—Subsection (d)(2) requires the Secretary of State to update the report required by Public Law 115-232. Such report is in lieu of the report directed in the Senate report regarding the purchase of the S-400 missile defense system.

The report required under this section in the Senate report related to American citizens held under wrongful or unlawful prolonged detention in Turkey shall also include the same

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information for any case involving such detention of locally employed staff of the Department of State or USAID in Turkey.

Other Assistance for Europe and Eurasia.—The conference agreement includes funding at levels consistent with prior years to further the economic, social development, and reconciliation goals of Public Law 99-415.

Section 7047. Countering Russian Influence and Aggression (modified)

Countering Russian Influence Fund.—The conference agreement provides not less than $275,000,000 for the Countering Russian Influence Fund, which is in addition to amounts made available for bilateral assistance for countries in Europe, Eurasia and Central Asia. Such funds are allocated according to the following table and subject to section 7019 of the Act:

COUNTERING RUSSIAN INFLUENCE FUND

[Budget authority in thousands of dollars]

Account	Budget Authority
Assistance for Europe, Eurasia and Central Asia	75,000
International Narcotics Control and Law Enforcement	62,500
International Military Education and Training	5,000
Foreign Military Financing Program	132,500

In allocating funds for countries that are members of the North Atlantic Treaty Organization or the European Union, the Secretary of State should consider the degree to which such countries may be vulnerable to influence by the Russian Federation and their economic and technical capability to effectively respond to aggression by the Russian Federation.

In lieu of the directive in the Senate report under this heading concerning Russia reporting requirements, the Secretary of State is directed to update the reports required by section 7071(b)(2) and (e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) not later than 45 days after enactment of the Act.

Section 7048. United Nations (modified)

The Secretary of State shall include information on an organization-by-organization basis in the report submitted pursuant to subsection (a). Such report should also include recommendations for reducing travel costs and improving the oversight of travel at such entities.

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Section 7049. Law Enforcement and Security (new)

Section 7049 consolidates a number of provisions carried in prior Acts and contains new provisions related to law enforcement and security.

Security Force Professionalization.—Funds made available under International Narcotics Control and Law Enforcement pursuant to subsection (a)(5) shall be made available to increase partner capacity to collect, track, and analyze data on arbitrary arrest, abuse of detainees, and harm to civilians resulting from law enforcement operations of the respective government, including to apply lessons learned to future law enforcement activities, and to enhance investigative capacity, transparency, and accountability. Funds made available under Peacekeeping Operations pursuant to such subsection shall be made available to increase partner capacity to collect, track, and analyze data on civilian casualties resulting from military operations of the respective government, including to apply lessons learned to future operations, and to enhance investigative capacity, transparency, and accountability.

International Prison Conditions.—Subsection (b)(3) provides funding for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities, including access to safe drinking water and sanitation, food, and medical care, and to address other basic needs and protect the due process rights of prisoners and detainees. Assistance should be prioritized for countries in Central America and the Caribbean, Africa, the Middle East, and Southeast Asia.

Section 7050. Arms Trade Treaty (unchanged)

Section 7051. International Conferences (unchanged)

Section 7052. Aircraft Transfer, Coordination, and Use (modified)

The conference agreement includes authority permitting the Secretary of State to seek reimbursement for less than the full cost of providing air transport to Federal or non-Federal personnel in Department-owned or leased aircraft, including in Afghanistan. Not later than 180 days after enactment of the Act, the Secretary of State shall submit a report to the Committees on Appropriations on the cost of providing air transport services in Afghanistan since conception of the program, including a history of annual costs, factors contributing to any growth in cost, and the Department's efforts to seek reimbursement for transporting other Federal and non-Federal personnel.

Section 7053. Parking Fines and Real Property Taxes Owed by Foreign Governments (unchanged)

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Section 7054. International Monetary Fund (unchanged)

Section 7055. Prohibition on Publicity or Propaganda (unchanged)

Section 7056. Disability Programs (unchanged)

Section 7057. United States Agency for International Development Management (unchanged)

Section 7058. Global Health Activities (modified)

Subsection (d) repurposes $38,000,000 for USAID to carry out programs to accelerate the capacities of targeted countries to prevent, detect, and respond to infectious disease outbreaks, and $2,000,000 for an additional amount for the Emergency Reserve Fund to enable the United States and the international public health community to respond rapidly to emerging health threats.

The conferees note the strategy required in this section of the explanatory statement of division K of Public Law 115-141 is more than 60 days overdue and urge that it be submitted as described and in an expeditious manner.

Section 7059. Gender Equality (unchanged)

Section 7060. Sector Allocations (modified)

Environment Programs.—Subsection (c) includes authority for environment programs, subject to the regular notification procedures of the Committees on Appropriations. Additionally, subsection (c) states that none of the funds in the Act are appropriated or otherwise made available for a contribution, grant, or other payment to the Green Climate Fund.

Funds for certain bilateral environment programs are allocated according to the following table and subject to section 7019 of the Act:

ENVIRONMENT PROGRAMS

[Budget authority in thousands of dollars]

Programs	Budget Authority
Andean Amazon	20,500
Brazilian Amazon	11,000
Central Africa Regional Program for the Environment	40,000
USAID	*[21,900]*
United States Fish and Wildlife Service	*[18,100]*
Guatemala/Belize	5,000
USAID	*[3,500]*
Department of the Interior	*[1,500]*

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Lacey Act		2,500
United States Fish and Wildlife Service		10,900
	Great apes	*[5,000]*
	Migratory bird conservation	*[750]*
	Endangered sea turtles	*[150]*
United States Forest Service		6,000
USAID/Indonesia Orangutan program		2,750
Toxic chemicals		7,000
Waste recycling		7,000

Not later than 45 days after enactment of the Act and prior to the obligation of funds made available pursuant to subsection (c), the Secretary of State, USAID Administrator, Director of the United States Fish and Wildlife Service (USFWS), Director of the United States Forest Service (USFS), and Secretary of Interior are directed to consult with the Committees on Appropriations on the uses of such funds.

Funds included for USFWS, USFS, and the Department of the Interior (DOI) shall be provided through direct transfers pursuant to section 632(a) of the FAA not later than 90 days after enactment of the Act. Prior to such transfers, the USFWS, USFS, and DOI shall submit spend plans to the Committees on Appropriations and to USAID detailing the planned uses of such funds and expected programmatic results.

The conference agreement includes not less than fiscal year 2017 levels for USAID Great Apes programs.

The conference agreement includes not less than $90,664,000 to combat wildlife poaching and trafficking, of which not less than $10,000,000 shall be made available for programs to combat rhinoceros poaching primarily for site-based, anti-poaching activities to address immediate requirements.

The conference agreement includes $5,000,000 for tropical forest conservation in Guatemala and Belize and the preservation of archaeological sites in the Maya Biosphere Reserve (MBR), of which not less than $1,500,000 shall be provided to the DOI by direct transfer. The conference agreement does not support funding for road construction or logging activities in national parks or the MBR, except for community forest concessions in the MBR.

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The conference agreement supports funding for renewable energy and adaptation programs as specified in the table entitled "Funding for Environment and Energy Programs" in the Senate report.

Not later than 90 days after enactment of the Act, the Secretary of State, in consultation with the USAID Administrator and the heads of other relevant Federal agencies, shall submit to the Committees on Appropriations the United States Government strategies in the manner described under section 7060 in the Senate report.

Reconciliation Programs.—In lieu of the directives on reconciliation programs in the House and Senate reports, $30,000,000 is included for people-to-people reconciliation programs to be carried out in a manner consistent with long-standing congressional intent. Not later than 60 days after enactment of the Act, the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of such funds and the amounts to be made available for such purposes.

Trafficking in Persons.—The conference agreement includes not less than $80,822,000 for programs and activities to combat trafficking in persons internationally, including $13,822,000 provided under Diplomatic Programs for the Office to Monitor and Combat Trafficking in Persons, and not less than $67,000,000 from funds made available under titles III and IV. Of such amounts, not less than $45,000,000 is made available under International Narcotics Control and Law Enforcement and a total of $22,000,000 is included under Assistance for Europe, Eurasia and Central Asia, Development Assistance, and Economic Support Fund for these purposes.

Within the amounts made available under International Narcotics Control and Law Enforcement, $36,000,000 is to be administered by the Office to Monitor and Combat Trafficking in Persons. The conference agreement includes $5,000,000 for child protection compacts, pursuant to the Trafficking Victims Protection Act of 2000, as amended by Public Law 113-4, which may be made available following consultation with the appropriate congressional committees.

Funds designated for programs to end modern slavery in the table under International Narcotics Control and Law Enforcement in title IV are in addition to funds allocated to combat trafficking in persons pursuant to this section and shall be awarded on an open and competitive basis.

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Water and Sanitation.—Funds made available for water and sanitation programs shall be implemented in accordance with the Senator Paul Simon Water for the World Act of 2014 (Public Law 113-289). In furtherance of the mandate of the Water for the World Act to provide sustainable access to clean water and sanitation for the world's poorest people and in order to promote transparency and accountability, not later than 45 days after enactment of the Act, the USAID Administrator shall submit to the appropriate congressional committees the specific weighting of criteria in the WASH Needs Index and an explanation of how it is used to prioritize funding that is proportionate to the needs of a country for water, sanitation, and hygiene projects.

Section 7061. Enterprise Funds (unchanged)

Section 7062. Impact on Jobs in the United States (unchanged)

Section 7063. Overseas Private Investment Corporation (unchanged)

Section 7064. Inspectors General (unchanged)

Section 7065. Global Internet Freedom (modified)

The conference agreement provides not less than $60,500,000 for programs to promote Internet freedom globally. Funds for such activities appropriated in title III of the Act are allocated according to the following table and subject to section 7019 of the Act:

GLOBAL INTERNET FREEDOM

[Budget authority in thousands of dollars]

Account/Program		Budget Authority
Economic Support Fund		22,025
	Near East Regional Democracy	*[16,750]*
Democracy Fund (Department of State)		14,000
Democracy Fund (USAID)		3,500
Assistance for Europe, Eurasia and Central Asia		5,975

In addition to funds made available in title III, the conference agreement also includes $15,000,000 for Internet freedom under Broadcasting Board of Governors, including $13,800,000 for International Broadcasting Operations for programs and $1,200,000 for the associated personnel costs of RFA.

Section 7066. Multi-Year Pledges (unchanged)

Section 7067. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (modified)

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Section 7068. Extradition (unchanged)

Section 7069. War Crimes Tribunals (unchanged)

Section 7070. Budget Documents (modified)

Spend Plans.—The Secretary of State or USAID Administrator, as applicable, shall submit each spend plan required by subsection (b) with all planned accounts, countries, programs, and activities. Partial spend plans will not be considered complete for the purposes of this requirement. Any funds notified pursuant to paragraph (3) shall be noted in the subsequent spend plan.

Section 7045 of the Act provides additional guidance for spend plans submitted for assistance for Colombia and the countries in Central America.

Section 7071. Stabilization and Development in Regions Impacted by Extremism and Conflict (modified)

Relief and Recovery Fund.—The conference agreement provides not less than $200,000,000 for the RRF, of which $85,000,000 is under Economic Support Fund, $25,000,000 is under International Narcotics Control and Law Enforcement, $25,000,000 is under Nonproliferation, Anti-terrorism, Demining and Related Programs, $40,000,000 is under Peacekeeping Operations, and $25,000,000 is under Foreign Military Financing Program.

In addition to prior year funds from the RRF made available by subsection (b)(3) for Jordan and Tunisia, funds appropriated in prior Acts that are made available for the RRF should also be made available for assistance for Lebanon and for countries in East and West Africa, the Sahel, and the Lake Chad Basin region.

Funds made available for the RRF shall be made available, to the maximum extent practicable, on a cost-matching basis from sources other than the United States Government.

Prevention of Failed States Through Public-Private Partnerships.—Subsection (c) makes up to $10,000,000 available to develop and implement a public-private partnerships program to accelerate a coherent approach to development in fragile states and states threatened or adversely impacted by economic and political instability or violent extremism, which shall be in addition to other bilateral assistance for such states.

In implementing such public-private partnership program, the Secretary of State and the USAID Administrator shall: (1) ensure the program is fully integrated and consistent with the development strategy for recipient countries; (2) require the central government to commit to

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implementation of such program in a transparent and accountable manner; (3) prioritize the participation of local organizations in participating as implementers and provide for the training and mentoring of such organizations; and (4) coordinate and ensure complementarity with other bilateral and regional programs funded by the Act and prior Acts, and with other development and security programs conducted by other Federal agencies and international donors.

Prior to the obligation of funds made available by the Act for such program, the Secretary of State and USAID Administrator shall jointly submit a report to the Committees on Appropriations detailing: (1) the states potentially eligible for the program; (2) the requirements of the central governments for participation in the program and program conditionality, if any; and (3) benchmarks to measure the effectiveness of such program.

Countering Violent Extremism in Asia.—USAID's Regional Development Mission for Asia shall consult with the Committees on Appropriations on the design and implementation of programs to counter violent extremism in Asia, including within, and among, Buddhist communities in Burma, Cambodia, Laos, Sri Lanka, Tibet, Thailand, and Vietnam.

Section 7072. United Nations Population Fund (unchanged)

Section 7073. Reorganization and Information Technology (modified)

Funds made available by the Act are provided in the amounts necessary for, and for the purposes of, maintaining the on-board Foreign Service and Civil Service staff levels of the Department of State and USAID at not less than the levels as of December 31, 2017. The conferees assume such levels reflect minimum necessary hiring, and the Secretary of State and USAID Administrator are encouraged to work with the Committees on Appropriations to increase hiring above such levels, as appropriate. The explanatory statement accompanying division K of Public Law 115-141 contains a similar directive, with which the Department of State and USAID have not complied.

The conference agreement assumes sufficient funding for introductory classes for the Department of State Foreign Service (A-100 classes) at the pre-fiscal year 2017 rate, and the Secretary of State shall continue such classes in such manner. The Secretary is directed to report to the appropriate congressional committees not later than 45 days after enactment of the Act on the schedule for the A-100 classes.

Pursuant to subsection (a)(1), the notification shall include: (1) a detailed description of, and justification for, the proposed action, including any policies or procedures currently or

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expected to be used to implement Executive Order 13781; (2) the current organizational chart, showing the operating units of the respective department, agency or organization and a brief description of each operating unit; the number of employees for each operating unit; the proposed new organizational chart with descriptions of each new operating unit; and the number of employees once the proposed reorganization is complete; (3) an assessment of how the proposed action will improve the efficiency, effectiveness, performance, and accountability (including through modernizing information technology platforms and streamlining administrative functions) of the department, agency, or organization; (4) an analysis of the impact of any such change on the ability to advance the national interest of the United States through diplomacy and development, and to conduct adequate monitoring and oversight of foreign assistance programs, and any legislative change necessary to implement such proposals; (5) the estimated cost, including for design, implementation, facilities, and personnel for fiscal years 2019 and 2020; (6) the estimated timeline to complete the proposed action; and (7) an assessment of any cost savings and efficiencies achieved through implementation of each element of the proposed action.

The conferees direct the USAID Administrator to update, as appropriate and in writing, the Committees on Appropriations if implementing the recommendations and conclusions of the Foreign Assistance Review (FAR) would affect the information or proposed changes in USAID "Reorg CNs #1-9".

In addition, not later than 60 days after completion of the FAR, the Secretary of State and USAID Administrator shall submit a report to the Committees on Appropriations detailing the anticipated impact of the FAR on Department of State and USAID programs and operations in future fiscal year budget requests.

Pursuant to subsection (b)(2)(A), the report shall include the following information on a quarterly basis: (1) actual obligations to date for all implementation costs associated with "Reorg CNs #1-9" by the categories detailed in USAID's response to the Committees on Appropriations on October 30, 2018, to include the salaries and benefits of United States Direct Hire employees working directly on implementation of each reorganization and the source of such funding; (2) a project status and projected timeline for each of the reorganizations based on the milestones and timelines provided to the Committees on Appropriations on October 30, 2018; and (3) actual and

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anticipated United States Direct Hire workforce level changes by bureau and operating unit as a result of the reorganizations, including staffing shifts between functions.

Not later than 60 days after completion of the zero-based budgeting and personnel staffing exercise being conducted in support of USAID's transformation initiative, the USAID Administrator shall submit to the Committees on Appropriations a detailed report that includes: (1) a summary of the operating and personnel costs, including such costs that are paid from program funds, of each operating unit, overseas mission, or overseas office prior to transformation; (2) an estimate of such costs for each operating unit, overseas mission, or overseas office after transformation; and (3) a comparison of the total operating cost of the Agency prior to, and after, transformation detailed by Overseas Missions costs, Washington Support costs, and Central Support costs, and their subcategories.

The USAID Administrator shall regularly consult with the appropriate congressional committees and development stakeholders on efforts to transition nations from assistance recipients to enduring diplomatic, economic, and security partners, which shall include any changes to the guiding principles and metrics to support such efforts, and on other matters related to the implementation plan required by section 7069(b) of division K of Public Law 115–141.

Not later than 180 days after enactment of the Act, the Secretary of State and USAID Administrator shall submit to the appropriate congressional committees an updated implementation plan on country transitions from assistance, as required by section 7069(b)(2) of division K of Public Law 115–141.

The waiver authority and notification requirement of section 7015(e) of this Act shall apply to the requirements of paragraph (1) of this subsection.

Section 7074. Rescissions (modified)

Section 7075. John S. McCain Scholars Program (new)

The conference report includes $1,600,000 for three scholarship and fellowship programs in honor of the late Senator John S. McCain for the purposes outlined in, and the amounts specified under, Educational and Cultural Exchange Programs in the Senate report.

Section 7076. Afghan Special Immigrant Visas (new)

The conferees direct the Department of State to create and implement a system of prioritization for the processing of Afghan Special Immigrant Visa applicants based on the

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threats they face and after reviewing the facts of each case, giving appropriate consideration to those applicants who, during their qualifying service, assisted in combat operations.

Section 7077. Saudi Arabia (new)

The Act does not include the following general provisions from division K of Public Law 115-141: *Section 7056, Section 7064, Section 7069, and Section 7080.*

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides an additional $3,225,971,000 for Diplomatic Programs, of which $2,626,122,000 is for WSP, for the extraordinary costs of operations and security, including in Afghanistan, Pakistan, Iraq, areas of unrest, and high threat and high risk posts, which is designated for OCO/GWOT pursuant to BBEDCA.

Within the total, up to $5,000,000 may be transferred to other agencies to support operations in, and assistance for, Afghanistan. The Secretary of State is directed to include in the operating plan required by section 7070(a) of the Act a description of any funds transferred to other agencies in support of Afghanistan operations, including projected transfer amounts and the number of staff supported by each agency, and operating levels for Afghanistan, Pakistan, and Iraq.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides an additional $54,900,000 for Office of Inspector General for the SIGAR, which is designated for OCO/GWOT pursuant to BBEDCA.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement provides an additional $96,240,000 for Contributions to International Organizations for the extraordinary costs of United Nations missions, including in

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Afghanistan, Iraq, Libya, and Somalia, which is designated for OCO/GWOT pursuant to BBEDCA.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement provides an additional $988,656,000 for Contributions for International Peacekeeping Activities for peacekeeping operations, including in the Middle East and Africa, which is designated for OCO/GWOT pursuant to BBEDCA.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

The conference agreement provides an additional $158,067,000 for Operating Expenses for the extraordinary costs of operations in countries in conflict and areas of instability and violence, including in Afghanistan, Pakistan, and Iraq, which is designated for OCO/GWOT pursuant to BBEDCA.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

The conference agreement provides an additional $584,278,000 for International Disaster Assistance for the extraordinary costs of the United States response to international disasters and crises, including those resulting from conflict, which is designated for OCO/GWOT pursuant to BBEDCA. Funds appropriated under this heading shall be apportioned to USAID not later than 60 days after enactment of the Act.

TRANSITION INITIATIVES

The conference agreement provides an additional $62,043,000 for Transition Initiatives for the extraordinary costs of assistance for conflict countries and countries emerging from conflict, which is designated for OCO/GWOT pursuant to BBEDCA.

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ECONOMIC SUPPORT FUND

The conference agreement provides an additional $1,172,336,000 for Economic Support Fund for the extraordinary costs of assistance for countries in conflict and areas of instability and violence, including Afghanistan, Pakistan, and countries in the Middle East and Africa, which is designated for OCO/GWOT pursuant to BBEDCA.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides an additional $1,404,124,000 for Migration and Refugee Assistance for the extraordinary costs to respond to refugee crises overseas, which is designated for OCO/GWOT pursuant to BBEDCA.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

PEACEKEEPING OPERATIONS

The conference agreement provides an additional $325,213,000 for Peacekeeping Operations for the extraordinary costs of peacekeeping requirements, including the United States share of the UN Support Office in Somalia, which is designated for OCO/GWOT pursuant to BBEDCA.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement provides an additional $229,372,000 for Foreign Military Financing Program for the extraordinary costs of assistance for countries in conflict and areas of instability and violence, including to counter Russian influence and aggression, which is designated for OCO/GWOT pursuant to BBEDCA.

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GENERAL PROVISIONS

Section 8001. Additional Appropriations

This section clarifies that amounts appropriated by this title are in addition to amounts appropriated or otherwise made available in the Act for fiscal year 2019.

Section 8002. Extension of Authorities and Conditions

This section requires that the authorities and conditions applicable to funding elsewhere in the Act are applicable to funds in this title.

Section 8003. Transfer of Funds

Subsection (a) provides certain transfer authorities for funds appropriated by this title in the Act.

Subsection (b) provides authority for the Secretary of State to transfer funds appropriated by this title in the Act under Peacekeeping Operations and Foreign Military Financing Program in an amount that shall not exceed $7,500,000 to Global Security Contingency Fund.

Subsection (c) requires that any transfers pursuant to subsection (a) may only be exercised to address contingencies.

Subsection (d) requires that the transfer authority provided by subsections (a) and (b) is subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

Section 8004. Rescission

This section rescinds $301,200,000 from unobligated balances from amounts made available under Diplomatic and Consular Programs in title II of the Security Assistance Appropriations Act, 2017, which is designated for OCO/GWOT pursuant to BBEDCA.

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DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE I - DEPARTMENT OF STATE AND RELATED AGENCY					
Department of State					
Administration of Foreign Affairs					
Diplomatic programs	4,363,688	4,415,813	4,478,175	+114,487	+62,362
(Transfer out)	---	---	---	---	---
Worldwide security protection	1,380,752	3,698,124	1,469,777	+89,025	-2,228,347
Total, Diplomatic programs	5,744,440	8,113,937	5,947,952	+203,512	-2,165,985
Capital investment fund	103,400	92,770	92,770	-10,630	---
Office of Inspector General	77,629	142,200	90,829	+13,200	-51,371
Educational and cultural exchange programs	646,143	159,000	700,946	+54,803	+541,946
(By transfer)	---	---	---	---	---
Representation expenses	8,030	7,000	8,030	---	+1,030
Protection of foreign missions and officials	30,890	25,890	30,890	---	+5,000
Embassy security, construction, and maintenance	765,459	738,006	777,200	+11,741	+39,194
Worldwide security upgrades	1,477,237	919,537	1,198,249	-278,988	+278,712
Total, Embassy security	2,242,696	1,657,543	1,975,449	-267,247	+317,906
Emergencies in the diplomatic and consular service	7,885	7,885	7,885	---	---

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DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Repatriation Loans Program Account:					
Direct loans subsidy	1,300	1,300	1,300	---	---
Payment to the American Institute in Taiwan	31,963	26,312	31,963	---	+5,651
(By transfer)	---	---	---	---	---
International Chancery Center, Washington, District of Columbia	743	743	743	---	---
Payment to the Foreign Service Retirement and Disability Fund	158,900	158,900	158,900	---	---
Total, Administration of Foreign Affairs	9,054,019	10,393,480	9,047,657	-6,362	-1,345,823
International Organizations					
Contributions to international organizations, current year assessment	1,371,168	1,095,045	1,264,030	-107,138	+168,985
Contributions for international peacekeeping activities, current year assessment	414,624	1,196,108	562,344	+147,720	-633,764
Total, International Organizations	1,785,792	2,291,153	1,826,374	+40,582	-464,779
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	48,134	45,173	48,134	---	+2,961

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DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Construction	29,400	26,042	29,400	---	+3,358
Total, Boundary and Water Commission	77,534	71,215	77,534	---	+6,319
American sections, international commissions	13,258	12,184	13,258	---	+1,074
International fisheries commissions	46,356	33,906	50,651	+4,295	+16,745
Total, International commissions	137,148	117,305	141,443	+4,295	+24,138
Related Agency					
Broadcasting Board of Governors					
International broadcasting operations	797,986	656,342	798,196	+210	+141,854
(By transfer)	---	---	(2,500)	(+2,500)	(+2,500)
Reappropriation of surge capacity funds	---	3,000	---	---	-3,000
Broadcasting capital improvements	9,700	4,791	9,700	---	+4,909
Total, Broadcasting Board of Governors	807,686	664,133	807,896	+210	+143,763
Related Programs					
The Asia Foundation	17,000	---	17,000	---	+17,000
United States Institute of Peace, Operating expenses	37,884	20,000	38,634	+750	+18,634
Center for Middle Eastern-Western dialogue	140	185	185	+45	---
Eisenhower Exchange Fellowship program	158	190	190	+32	---
Israeli Arab scholarship program	65	68	68	+3	---
East-West Center	16,700	---	16,700	---	+16,700

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DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Endowment for Democracy	170,000	67,275	180,000	+10,000	+112,725
Total, Related programs	241,947	87,718	252,777	+10,830	+165,059
Other Commissions					
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	675	675	675	---	---
Commission on International Religious Freedom					
Salaries and expenses	4,500	4,500	4,500	---	---
Commission on Security and Cooperation in Europe					
Salaries and expenses	2,579	2,579	2,579	---	---
Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses	2,000	2,000	2,000	---	---
United States - China Economic and Security Review Commission					
Salaries and expenses	3,500	3,500	3,500	---	---

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DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Western Hemisphere Drug Policy Commission	---	---	1,500	+1,500	+1,500
Total, title I, Department of State and Related Agency	12,039,846	13,567,043	12,090,901	+51,055	-1,476,142
TITLE II - UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT ADMINISTRATION OF FOREIGN ASSISTANCE					
Funds Appropriated to the President					
Operating expenses, USAID	1,189,609	1,114,920	1,214,808	+25,199	+99,888
Capital Investment Fund	197,100	190,900	225,000	+27,900	+34,100
Office of Inspector General, USAID	72,800	71,500	76,600	+3,800	+5,100
Total, title II, Administration of Foreign Assistance	1,459,509	1,377,320	1,516,408	+56,899	+139,088
TITLE III - BILATERAL ECONOMIC ASSISTANCE					
Funds Appropriated to the President					
Global Health Programs:					
U.S. Agency for International Development	3,020,000	1,927,500	3,117,450	+97,450	+1,189,950

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DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Department of State	5,670,000	4,775,101	5,720,000	+50,000	+944,899
(Global fund contribution)	(1,350,000)	(925,101)	(1,350,000)	---	(+424,899)
Total, Global Health Programs	8,690,000	6,702,601	8,837,450	+147,450	+2,134,849
Development assistance	3,000,000	---	3,000,000	---	+3,000,000
Transfer out	(-55,000)	---	(-55,000)	---	(-55,000)
Total, Development Assistance	3,000,000	---	3,000,000	---	+3,000,000
International disaster assistance	2,696,534	3,557,412	3,801,034	+1,104,500	+243,622
Transition initiatives	30,000	87,043	30,000	---	-57,043
Complex Crises fund	10,000	---	30,000	+20,000	+30,000
Development Credit Authority:					
(By transfer)	(55,000)	(60,000)	(55,000)	---	(-5,000)
Administrative expenses	10,000	---	10,000	---	+10,000
Economic Support Fund	1,816,731	---	2,545,525	+728,794	+2,545,525
(Transfer out)	---	---	(-23,000)	(-23,000)	(-23,000)
(Transfer out)	---	---	(-2,000)	(-2,000)	(-2,000)
(Transfer out)	---	---	---	---	---
Economic Support and Development Fund	---	5,063,125	---	---	-5,063,125
Democracy Fund:					
Human Rights and Democracy Fund, Department of State	150,375	---	157,700	+7,325	+157,700

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Bureau of Democracy, Conflict, and Humanitarian Assistance, USAID	65,125	---	69,500	+4,375	+69,500
Total, Democracy Fund	215,500	---	227,200	+11,700	+227,200
Assistance for Europe, Eurasia and Central Asia	750,334	---	760,334	+10,000	+760,334
Department of State					
Migration and refugee assistance	927,802	2,800,375	2,027,876	+1,100,074	-772,499
(By transfer)	---	---	---	---	---
United States Emergency Refugee and Migration Assistance Fund	1,000	---	1,000	---	+1,000
Total, Department of State	928,802	2,800,375	2,028,876	+1,100,074	-771,499
Independent Agencies					
Peace Corps	410,000	396,200	410,500	+500	+14,300
Millennium Challenge Corporation	905,000	800,000	905,000	---	+105,000
Inter-American Foundation	22,500	3,482	22,500	---	+19,018
United States African Development Foundation	30,000	4,623	30,000	---	+25,377
Total, Independent Agencies	1,367,500	1,204,305	1,368,000	+500	+163,695

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Department of the Treasury					
International Affairs Technical Assistance.....	30,000	30,000	30,000	---	---
Total, title III, Bilateral economic assistance.	19,545,401	19,444,861	22,668,419	+3,123,018	+3,223,558
(By transfer).....	(55,000)	(60,000)	(55,000)	---	(-5,000)
(Transfer out).....	(-55,000)	---	(-80,000)	(-25,000)	(-80,000)
TITLE IV - INTERNATIONAL SECURITY ASSISTANCE					
Department of State					
International narcotics control and law enforcement...	950,845	880,350	1,497,469	+546,624	+617,119
Nonproliferation, anti-terrorism, demining and related programs.....	655,467	690,306	864,550	+209,083	+174,244
Peacekeeping operations.....	212,712	291,380	163,457	-49,255	-127,923
Funds Appropriated to the President					
International Military Education and Training.....	110,875	95,000	110,778	-97	+15,778

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	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Foreign Military Financing Program:					
Grants:					
Israel	3,100,000	3,300,000	3,300,000	+200,000	---
Egypt	1,300,000	1,300,000	1,300,000	---	---
Other	1,271,613	747,000	1,362,241	+90,628	+615,241
Limitation on Administrative Expenses	(75,000)	(70,000)	(75,000)	---	(+5,000)
Total, Foreign Military Financing Program	5,671,613	5,347,000	5,962,241	+290,628	+615,241
Total, title IV, Security assistance	7,601,512	7,304,036	8,598,495	+996,983	+1,294,459

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE V - MULTILATERAL ASSISTANCE					
Multilateral Assistance					
Funds Appropriated to the President					
International Organizations and Programs	339,000	---	339,000	---	+339,000
ESF Resident Coordinator Transfer	---	---	(23,000)	(+23,000)	(+23,000)
ESF Montreal Protocol	---	---	(2,000)	(+2,000)	(+2,000)
International Financial Institutions					
World Bank Group					
Global Environment Facility	139,575	68,300	139,575	---	+71,275

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
International Development Association	1,097,010	1,097,010	1,097,010	---	---
Total, World Bank Group	1,236,585	1,165,310	1,236,585	---	+71,275
Asian Development Bank Group					
Asian Development Fund	47,395	47,395	47,395	---	---
Total, Asian Development Fund	47,395	47,395	47,395	---	---
African Development Bank Group					
African Development Bank Paid in capital	32,418	32,417	32,417	-1	---
(Limitation on callable capital)	(507,861)	(507,861)	(507,861)	---	---
African Development Fund	171,300	171,300	171,300	---	---
Total, African Development Bank	203,718	203,717	203,717	-1	---
International Fund for Agricultural Development	30,000	---	30,000	---	+30,000
Total, International Financial Institutions	1,517,698	1,416,422	1,517,697	-1	+101,275
Total, title V, Multilateral assistance	1,856,698	1,416,422	1,856,697	-1	+440,275
(Limitation on callable capital)	(507,861)	(507,861)	(507,861)	---	---

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(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE VI - EXPORT AND INVESTMENT ASSISTANCE					
Export-Import Bank of the United States					
Administrative expenses	110,000	90,000	110,000	---	+20,000
Inspector General	5,700	4,750	5,700	---	+950
Offsetting collections	-254,700	-215,000	-215,000	+39,700	---
Total, Export-Import Bank of the United States	-139,000	-120,250	-99,300	+39,700	+20,950
Overseas Private Investment Corporation					
Noncredit account:					
Administrative expenses	79,200	---	79,200	---	+79,200
Insurance fees and other offsetting collections	-350,000	---	-415,000	-65,000	-415,000
Subtotal	-270,800	---	-335,800	-65,000	-335,800
Program account	20,000	---	20,000	---	+20,000
Total, Overseas Private Investment Corporation	-250,800	---	-315,800	-65,000	-315,800
US Development Finance Institution					
Administrative expenses	---	96,000	---	---	-96,000
Credit subsidy or other programming	---	22,000	---	---	-22,000

AMERICAN OVERSIGHT

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Offsetting collections	---	-415,000	---	---	+415,000
Total, US Development Finance Institution	---	-297,000	---	---	+297,000
Funds Appropriated to the President					
Trade and Development Agency	79,500	12,105	79,500	---	+67,395
Total, title VI, Export and investment assistance	-310,300	-405,145	-335,600	-25,300	+69,545
TITLE VII - GENERAL PROVISIONS					
Afghanistan SIVs additional (Sec. 7083 (a)) (CHIMP)	---	---	5,000	+5,000	+5,000
Sec. 7074 (a) INCLE Rescission	---	---	-12,420	-12,420	-12,420
Sec. 7074(b) FMS Rescission	---	---	-11,000	-11,000	-11,000
Development Assistance rescission (Sec. 7069(a))	-23,766	---	---	+23,766	---
Unobligated balances of EXIM Carryover receipts (Rescission)	-10,000	-23,412	---	+10,000	+23,412
Sec. 7066 Zika/Ebola Funds Transfer for Sudan Debt Relief	---	50,000	---	---	-50,000
Total, title VII, General Provisions	-33,766	26,588	-18,420	+15,346	-45,008
Rescissions	(-33,766)	(-23,412)	(-23,420)	(+10,346)	(-8)

AMERICAN OVERSIGHT

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE VIII - OVERSEAS CONTINGENCY OPERATIONS / GLOBAL WAR ON TERRORISM (OCO/GWOT)					
Diplomatic programs (OCO/GWOT)	2,975,971	---	3,225,971	+250,000	+3,225,971
(Worldwide security protection) (OCO/GWOT)	(2,376,122)	---	(2,626,122)	(+250,000)	(+2,626,122)
Subtotal	2,975,971	---	3,225,971	+250,000	+3,225,971
Office of Inspector General (OCO/GWOT)	68,100	---	54,900	-13,200	+54,900
Embassy security, construction, and maintenance (OCO/GWOT)	71,778	---	---	-71,778	---
Contributions to int'l organizations (OCO/GWOT)	96,240	---	96,240	---	+96,240
Contributions for International Peacekeeping Activities (OCO/GWOT)	967,456	---	988,656	+21,200	+988,656
Operating expenses of USAID (OCO/GWOT)	158,067	---	158,067	---	+158,067
USAID Office of Inspector General:					
OIG (OCO/GWOT)	2,500	---	---	-2,500	---
International Disaster Assistance (OCO/GWOT)	1,588,778	---	584,278	-1,004,500	+584,278
Transition Initiatives (OCO/GWOT)	62,043	---	62,043	---	+62,043
Complex Crises fund (OCO/GWOT)	20,000	---	---	-20,000	---
Economic Support Fund (OCO/GWOT)	2,152,122	---	1,172,336	-979,786	+1,172,336
Migration and Refugee assistance (MRA) (OCO/GWOT)	2,431,198	---	1,404,124	-1,027,074	+1,404,124
International narcotics control and law enforcement (OCO/GWOT)	417,951	---	---	-417,951	---
Nonproliferation, Anti-terrorism, Demining and Related programs (NADR) (OCO/GWOT)	220,583	---	---	-220,583	---
Peacekeeping Operations (PKO) (OCO/GWOT)	325,213	---	325,213	---	+325,213

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DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Foreign Military Financing program (OCO/GWOT)	460,000	---	229,372	-230,628	+229,372
Rescission, section 8004 (OCO/GWOT)	---	-301,200	-301,200	-301,200	---
Total, Title VIII, OCO/GWOT	12,018,000	-301,200	8,000,000	-4,018,000	+8,301,200
Grand Total	54,176,900	42,429,925	54,376,900	+200,000	+11,946,975
Appropriations	(42,192,666)	(42,754,537)	(46,400,320)	(+4,207,654)	(+3,645,783)
Rescissions	(-33,766)	(-23,412)	(-23,420)	(+10,346)	(-8)
(By transfer)	(55,000)	(60,000)	(82,500)	(+27,500)	(+22,500)
(Transfer out)	(-55,000)	---	(-80,000)	(-25,000)	(-80,000)
(Limitation on administrative expenses)	(75,000)	(70,000)	(75,000)	---	(+5,000)
(Limitation on callable capital)	(507,861)	(507,861)	(507,861)	---	---

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XEROX

DIVISION G—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

CONGRESSIONAL DIRECTIVES

Unless otherwise noted, the language and allocations set forth in the House report (House Report 115-750) and the Senate report (Senate Report 115-268) carry the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in this division or joint explanatory statement. House report language and Senate report language, neither of which is changed by this statement of conferees, is a result of the 2019 appropriations agreement. The joint explanatory statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate has directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations. The Department of Transportation and the Department of Housing and Urban Development are directed to notify the House and Senate Committees on Appropriations seven days prior to the announcement of a new program, initiative, or authority. Any reprogramming requests must be submitted to the Committees on Appropriations no later than June 30, 2019.

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TITLE I – DEPARTMENT OF TRANSPORTATION

Infrastructure.— The conferees do not direct any modification of the next Conditions and Performance report required under 23 U.S.C. 503(b)(8) and 49 U.S.C. 308(e).

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

The conferees provide $113,910,000 for the salaries and expenses of the Office of the Secretary. The conferees do not include any specific caps on Full-Time Equivalents (FTE) either in total or by individual office.

Service animals.—The conferees reiterate House direction regarding the review of airline modifications to service animal policies. Further, the conferees reiterate direction included in the Senate report within the Federal Aviation Administration (FAA) Operations account expecting the Department to work with stakeholders regarding regulations defining types of service animals.

Army Corps of Engineers Reorganization.—The conferees do not provide the Department of Transportation with resources to undertake any reorganization or planning efforts related to a transfer of functions from the Army Corps of Engineers to the Department of Transportation.

Intelligent transportation systems. —The conferees direct the Department of Transportation to submit to the Committees on Appropriations and Commerce, Science, and Transportation of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives a report on efforts by the Department of Transportation to engage with

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local communities, metropolitan planning organizations, and regional transportation commissions on advancing data and intelligent transportation systems technologies and other smart cities solutions within 90 days of enactment of this Act.

RESEARCH AND TECHNOLOGY

The conferees provide $8,471,000 for research and technology, of which $2,218,000 shall remain available until September 30, 2021.

NATIONAL INFRASTRUCTURE INVESTMENTS

The conferees provide $900,000,000 for national infrastructure investments, to remain available until September 30, 2021. The conferees direct that not more than 50 percent of funds awarded shall be for projects located in a rural area with a population of less than 200,000 and not more than 50 percent shall be for projects located in an urban or suburban area with a population of more than 200,000. Although still eligible for an award, the conferees do not direct a minimum amount of funding for projects located in and around major seaports. The conferees do not direct that the criteria to be used for grant awards be the same criteria from the fiscal year 2016 Notice of Funding Opportunity (NOFO) and instead direct the Secretary to use the same criteria from the fiscal year 2017 NOFO as published in the Federal Register on September 7, 2017 to make award decisions with the exception of the use of Federal share or an applicant's ability to generate non-Federal revenue as a selection criteria in awarding projects. The conferees do not direct the Secretary to prioritize multimodal projects and projects on major corridors of the national freight network when awarding projects in urbanized areas. The conferees do not direct the Secretary to prioritize applications for bridge replacement and rehabilitation projects, including off-system bridges, or to prioritize applications that demonstrate cost savings by

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bundling multiple rural bridge projects into a single proposal, when awarding projects in a rural area.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

The conferees provide $5,000,000 for the national surface transportation and innovative finance bureau, to remain available until expended. The conferees direct the bureau to carry out its various responsibilities including administration of grants and loans provided through the Infrastructure for Rebuilding America (INFRA) program within this amount. The conferees do not expect the bureau to administer the maritime guaranteed loan (title XI) program.

FINANCIAL MANAGEMENT CAPITAL

The conferees provide $2,000,000 for the financial management capital program, to remain available until September 30, 2020. The funding provided is sufficient to carry out Data Act compliance requirements at the Department in fiscal year 2019.

CYBER SECURITY INITIATIVES

The conferees provide $15,000,000 for departmental cyber security initiatives, to remain available until September 30, 2020.

OFFICE OF CIVIL RIGHTS

The conferees provide $9,470,000 for the office of civil rights.

TRANSPORTATION PLANNING, RESEARCH AND DEVELOPMENT

The conferees provide $7,879,000 for planning, research and development activities, to remain available until expended, of which $1,000,000 is for the Interagency Infrastructure Permitting Improvement Center (IIPIC).

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WORKING CAPITAL FUND

The conferees limit expenditures for working capital fund activities to $319,793,000. The $115,910,000 limitation increase is provided by the conferees to support the Department's shared services initiative in commodity information technology.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

The conferees provide $500,000 for the minority business resource center program.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

The conferees provide $3,488,000 for small and disadvantaged business utilization and outreach, to remain available until September 30, 2020.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide $175,000,000 for payments to air carriers, to remain available until expended.

ADMINISTRATIVE PROVISIONS – OFFICE OF THE SECRETARY OF TRANSPORTATION

Section 101 prohibits funds available to the Department of Transportation from being obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

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Section 102 requires the Secretary of Transportation to post on the internet a schedule of all Council on Credit and Finance meetings, agendas, and meeting minutes.

Section 103 allows the Department of Transportation Working Capital Fund to provide payments in advance to vendors for the Federal transit pass fringe benefit program, and to provide full or partial payments to, and to accept reimbursements from, Federal agencies for transit benefit distribution services.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide $10,410,758,000 for the operations of the Federal Aviation Administration (FAA), to remain available until September 30, 2020. Of the total amount provided, $9,833,400,000 is to be derived from the airport and airway trust fund. Funds are distributed in the bill by budget activity.

The following table compares the agreement to the levels proposed in the budget request by activity:

	Budget Request	Conference Agreement
Air Traffic Organization	$7,495,690,000	$7,841,720,000
Aviation Safety	1,276,255,000	1,336,969,000
Commercial Space Transportation	21,578,000	24,949,000
Finance and management	771,010,000	816,398,000
NextGen and operations planning	58,536,000	61,258,000
Security and Hazardous Materials Safety	105,558,000	114,165,000
Staff offices	202,685,000	215,299,000

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	Budget Request	Conference Agreement
Total	9,931,312,000	10,410,758,000

Unmanned aircraft systems.—The conferees provide $56,000,000 for unmanned aircraft systems integration (UAS) activities within the operations account, to be distributed as follows: $27,375,000 for the Air Traffic Organization; $27,375,000 for Aviation Safety; $750,000 for Security and Hazardous Materials Safety; and $500,000 for the Office of Communications within staff offices.

UAS integration pilot program.—The conferees direct the FAA to enter into additional UAS Integration Pilot Program (IPP) agreements with state, local and tribal governments. However, the conferees direct the FAA to undertake these activities without incurring additional costs through grants or cooperative agreements, and direct the FAA to submit a report to the House and Senate Committees on Appropriations on the expected annual costs of the program prior to entering into additional IPP agreements. The FAA should prioritize all congressional mandates prior to expanding the IPP program.

NextGen Report.—The conferees direct the FAA to include information on the implementation of NextGen capabilities at commercial service airports when it publishes its annual NextGen Implementation Plan as required under section 208 of Public Law 112-95.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide $3,000,000,000 for facilities and equipment. Of the total amount available, $512,823,000 is available until September 30, 2020; $2,372,127,000 is available until September 30, 2021; and $115,050,000 is available until expended.

The following table provides details of the agreement by program:

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	Budget Request	Conference Agreement
Activity 1 - Engineering, Development, Test and Evaluation		
Advanced Technology Development and Prototyping	$33,000,000	$33,000,000
William J. Hughes Technical Center Laboratory Sustainment	21,000,000	21,000,000
William J. Hughes Technical Center Infrastructure Sustainment	12,000,000	15,000,000
Separation Management Portfolio	16,589,000	16,000,000
Traffic Flow Management Portfolio	14,000,000	14,000,000
On Demand NAS Portfolio	20,500,000	21,000,000
NAS Infrastructure Portfolio	13,500,000	20,000,000
NextGen Support Portfolio	12,800,000	12,800,000
Unmanned Aircraft Systems (UAS)	14,000,000	25,000,000
Enterprise, Concept Development, Human Factors, & Demonstrations Portfolio	9,500,000	16,500,000
TOTAL ACTIVITY 1	166,889,000	194,300,000
Activity 2 - Air Traffic Control Facilities and Equipment		
a. En Route Programs		
En Route Automation Modernization (ERAM) - System Enhancements and Tech Refresh	102,050,000	115,250,000
En Route Communications Gateway (ECG)	1,650,000	1,650,000
Next Generation Weather Radar (NEXRAD) - Provide	5,500,000	7,500,000
Air Route Traffic Control Center (ARTCC) & Combined Control Facility (CCF) Building Improvements	88,050,000	88,050,000
Air Traffic Management (ATM)	6,200,000	12,055,000
Air/Ground Communications Infrastructure	10,541,000	8,750,000
Air Traffic Control En Route Radar Facilities Improvements	6,600,000	6,600,000
Voice Switching and Control System (VSCS)	11,400,000	11,400,000
Oceanic Automation System	17,500,000	23,100,000
Next Generation Very High Frequency Air/Ground Communications (NEXCOM)	50,000,000	60,000,000
System-Wide Information Management	58,807,000	55,300,000
ADS -B NAS Wide Implementation	123,748,000	139,150,000
Collaborative Air Traffic Management Technologies	17,700,000	17,700,000
Time Based Flow Management Portfolio	21,150,000	28,150,000
NextGen Weather Processors	24,650,000	28,650,000
Airborne Collision Avoidance System X (ACASX)	7,700,000	7,700,000
Data Communications in Support of NG Air Transportation System	113,850,000	118,902,000
Non-Continental United States (Non-CONUS) Automation	14,000,000	14,000,000
Reduced Oceanic Separation	-	17,500,000
En Route Service Improvements	1,000,000	1,000,000
Commercial Space Integration	7,000,000	9,000,000
Subtotal En Route Programs	689,096,000	771,407,000
b. Terminal Programs		
Airport Surface Detection Equipment - Model X (ASDE-X)		2,500,000
Terminal Doppler Weather Radar (TDWR) - Provide	4,500,000	4,500,000
Standard Terminal Automation Replacement System (STARS) (TAMR Phase 1)	66,900,000	66,900,000
Terminal Automation Modernization/Replacement Program (TAMR Phase 3)	9,012,000	8,000,000
Terminal Automation Program	8,500,000	8,500,000
Terminal Air Traffic Control Facilities - Replace	19,200,000	19,200,000
ATCT/Terminal Radar Approach Control (TRACON) Facilities - Improve	95,850,000	95,850,000
Terminal Voice Switch Replacement (TVSR)	9,574,000	10,000,000

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	Budget Request	Conference Agreement
NAS Facilities OSHA and Environmental Standards Compliance	41,900,000	41,900,000
Airport Surveillance Radar (ASR-9)	12,800,000	12,800,000
Terminal Digital Radar (ASR-11) Technology Refresh and Mobile Airport Surveillance Radar (MASR)	1,000,000	1,000,000
Runway Status Lights	2,000,000	2,000,000
National Airspace System Voice System (NVS)	43,150,000	43,150,000
Integrated Display System (IDS)	19,459,000	18,000,000
Remote Monitoring and Logging System (RMLS)	18,100,000	18,100,000
Mode S Service Life Extension Program (SLEP)	15,400,000	15,400,000
Terminal Flight Data Manager (TFDM)	119,250,000	119,250,000
National Air Space (NAS) Voice Recorder Program (NVRP)	14,000,000	14,000,000
Integrated Terminal Weather System (ITWS)	2,100,000	2,100,000
Performance Based Navigation & Metroplex Portfolio	20,000,000	20,000,000
Subtotal Terminal Programs	522,695,000	523,150,000
c. Flight Service Programs		
Aviation Surface Observation System (ASOS)	10,976,000	10,000,000
Future Flight Services Program	10,100,000	10,100,000
Alaska Flight Service Facility Modernization (AFSFM)	2,650,000	2,650,000
Weather Camera Program	1,100,000	1,100,000
Juneau Airport Wind System (JAWS) - Technology Refresh	1,000,000	1,000,000
Subtotal Flight Service Programs	25,826,000	24,850,000
d. Landing and Navigational Aids Program		
VHF Omnidirectional Radio Range (VOR) Minimum Operating Network (MON)	15,000,000	20,000,000
Instrument Landing System (ILS) - Establish	-	25,000,000
Wide Area Augmentation System (WAAS) for GPS	96,320,000	96,320,000
Instrument Flight Procedures Automation (IFPA)	1,400,000	1,400,000
Runway Safety Areas - Navigational Mitigation	2,000,000	2,000,000
NAVAIDS Monitoring Equipment	3,000,000	3,000,000
Landing and Lighting Portfolio	42,372,000	31,000,000
Subtotal Landing and Navigational Aids Programs	160,092,000	178,720,000
e. Other ATC Facilities Programs		
Fuel Storage Tank Replacement and Management	25,700,000	25,700,000
Unstaffed Infrastructure Sustainment	51,050,000	51,050,000
Aircraft Related Equipment Program	13,000,000	13,000,000
Airport Cable Loop Systems - Sustained Support	10,000,000	10,000,000
Alaskan Satellite Telecommunications Infrastructure (ASTI)	16,300,000	16,300,000
Facilities Decommissioning	9,000,000	9,000,000
Electrical Power Systems - Sustain/Support	140,834,000	140,700,000
Energy Management and Compliance (EMC)	2,400,000	2,400,000
Child Care Center Sustainment	1,000,000	1,000,000
FAA Telecommunications Infrastructure	6,700,000	40,000,000
Data Visualization, Analysis and Reporting System (DVARS)	4,500,000	4,500,000
TDM-to-IP Migration	3,000,000	38,000,000
Subtotal Other ATC Facilities Programs	283,484,000	351,650,000
TOTAL ACTIVITY 2	1,681,193,000	1,849,777,000
Activity 3 - Non-Air Traffic Control Facilities and Equipment		
a. Support Equipment		
Hazardous Materials Management	29,800,000	29,800,000
Aviation Safety Analysis System (ASAS)	18,899,000	18,700,000
National Air Space (NAS) Recovery Communications (RCOM)	12,200,000	12,000,000
Facility Security Risk Management	18,608,000	17,800,000

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	Budget Request	Conference Agreement
Information Security	16,000,000	20,900,000
System Approach for Safety Oversight (SASO)	25,400,000	25,400,000
Aviation Safety Knowledge Management Environment (ASKME)	6,000,000	6,000,000
Aerospace Medical Equipment Needs (AMEN)	14,078,000	14,000,000
System Safety Management Portfolio	14,700,000	14,200,000
National Test Equipment Program	5,000,000	5,000,000
Mobile Assets Management Program	2,216,000	2,200,000
Aerospace Medicine Safety Information Systems (AMSIS)	16,100,000	16,100,000
Tower Simulation System (TSS) Technology Refresh	500,000	500,000
Logistics Support Systems and Facilities (LSSF)	7,100,000	7,100,000
Subtotal Support Equipment	186,601,000	189,700,000
b. Training, Equipment and Facilities		
Aeronautical Center Infrastructure Modernization	14,298,000	14,000,000
Distance Learning	1,000,000	1,000,000
Subtotal Training, Equipment and Facilities	15,298,000	15,000,000
TOTAL ACTIVITY 3	201,899,000	204,700,000
Activity 4 - Facilities and Equipment Mission Support		
a. System Support and Services		
System Engineering and Development Support	38,000,000	39,700,000
Program Support Leases	47,000,000	47,000,000
Logistics and Acquisition Support Services	11,000,000	12,500,000
Mike Monroney Aeronautical Center Leases	20,200,000	20,200,000
Transition Engineering Support	17,000,000	22,000,000
Technical Support Services Contract (TSSC)	23,000,000	28,000,000
Resource Tracking Program (RTP)	6,000,000	6,000,000
Center for Advanced Aviation System Development (CAASD)	57,000,000	57,000,000
Aeronautical Information Management Program	6,819,000	5,000,000
Cross Agency NextGen Management	1,000,000	1,000,000
TOTAL ACTIVITY 4	227,019,000	238,400,000
Activity 5 - Personnel and Related Expenses		
Personnel and Related Expenses	489,572,000	512,823,000
TOTAL ALL ACTIVITIES	2,766,572,000	3,000,000,000

Enterprise, concept development, human factors, & demonstrations portfolio.—The conferees provide $16,500,000 for enterprise concept development, human factors and demonstration portfolio and agree to Senate direction regarding the expansion of remote tower technologies.

Reduced Oceanic Separation.—The conferees provide $17,500,000 for reduced oceanic separation and urge the FAA to work with industry partners to explore space-based ADS-B technology-proving activities in the Caribbean airspace.

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Next generation very high frequency air/ground communications (NEXCOM).—The conferees provide $60,000,000 for NEXCOM, a baseline increase of $10,000,000, and agree to House direction regarding segment 2 radios.

Next generation weather processor.—The conferees provide $28,650,000 for next generation weather processor to mitigate the three year gap before the start of the work package 2 development currently in the FAA capital investment plan.

National Airspace System Voice System (NVS).—The conferees provide $43,150,000 for the NVS program. This funding may be used to add additional capabilities compatible with NextGen technology and ensure sustainment of legacy voice switches as the NVS program continues development.

VHF Omnidirectional Radio Range (VOR) Minimum Operating Network (MON).—The conferees provide $20,000,000 for VOR MON, $10,000,000 of which is for VOR with distance measuring equipment (DME) to continue the FAA's efforts to address the aging infrastructure of en route navigational aids through the FAA's acquisition management process.

Telecommunications Infrastructure.—The conferees provide $40,000,000 for FAA telecommunications infrastructure, which is $33,300,000 above the budget request. A portion of this additional funding, as well as the funds provided for this budget line item in fiscal year 2018, is to support the replacement of obsolete infrastructure hardware and software.

Time division multiplexing (TDM)-to-Internet Protocol (IP) migration.—The conferees provide $38,000,000 for TDM to IP migration, including funds to convert additional locations from TDM to IP ethernet through an open and competitive process for any edge devices.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide $191,100,000 for the FAA's research, engineering, and development activities, to remain available until September 30, 2021.

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The agreement provides the following levels for specific programs:

Program	Budget Request	Conference Agreement
Fire Research and Safety	$4,867,000	7,200,000
Propulsion and Fuel Systems	555,000	2,100,000
Advanced Materials/Structural Safety	2,300,000	14,720,000
Aircraft Icing /Digital System Safety	7,684,000	9,253,000
Continued Airworthiness	4,969,000	11,269,000
Aircraft Catastrophic Failure Prevention Research	---	1,570,000
Flightdeck/Maintenance/System Integration Human Factors	5,052,000	7,305,000
System Safety Management	799,000	5,500,000
Air Traffic Control/Technical Operations Human Factors	1,436,000	5,800,000
Aeromedical Research	3,875,000	9,080,000
Weather Program	6,580,000	15,476,000
Unmanned Aircraft Systems Research	3,318,000	24,035,000
Alternative Fuels for General Aviation	---	1,900,000
Commercial Space	2,500,000	2,500,000
Total Safety	43,935,000	117,708,000
NextGen - Wake Turbulence	3,519,000	6,831,000
NextGen - Air Ground Integration Human Factors	1,336,000	6,757,000
NextGen - Weather Technology in the Cockpit	1,525,000	3,644,000
NextGen - Flight Deck Data Exchange	1,035,000	1,035,000
NextGen - Information Security	1,232,000	1,232,000
Total Economic Competitiveness	8,647,000	19,499,000
Environment and Energy	11,588,000	18,013,000
NextGen - Environmental Research - Aircraft Technologies, Fuels, and Metrics	7,578,000	29,174,000
Total Environmental Sustainability	19,166,000	47,187,000
System Planning and Resource Management	1,480,000	2,135,000
William J. Hughes Technical Center Laboratory Facility	1,178,000	4,571,000
Total Mission Support	2,658,000	6,706,000
TOTAL	74,406,000	191,100,000

Advanced material/structural safety.—The conferees provide $14,720,000 for advanced material/structural safety, including $6,000,000 to advance the use of new additive materials (both metallic and non-metallic based additive processes) into the commercial aviation industry, and $4,000,000 to advance the use of fiber reinforced composite material into the commercial aviation industry through the FAA joint advanced materials and structures center of excellence.

Unmanned aircraft systems (UAS) research.—The conferees provide $24,035,000 for UAS research, including $12,035,000 for the UAS center of excellence in UAS research, $2,000,000 to expand the center's role in transportation disaster preparedness and response, and $10,000,000 to support UAS research activities at the FAA technical center and other FAA facilities.

AMERICAN OVERSIGHT

UAS integration programs.—The conferees reiterate House and Senate direction regarding the development of an Unmanned Traffic Management (UTM) system, Low Altitude Authorization and Notification Capability (LAANC), and the UTM Pilot Program, and direct the FAA to provide the House and Senate Committees on Appropriations with a report and research plan consistent with House and Senate direction no later than 120 days after enactment of this Act.

Environmental sustainability. – The conferees provide a total of $47,187,000 for research related to environmental sustainability that supports the CLEEN program, as well as the center of excellence for alternative jet fuels and environment. Within the total provided, the FAA is directed to use $15,000,000 for the center of excellence.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

The conferees provide an obligation limitation of $3,350,000,000 and a liquidating cash appropriation of $3,000,000,000, to remain available until expended. Within the obligation limitation, the conferees provide not more than $112,600,000 for administrative expenses, no less than $15,000,000 for the airport cooperative research program, no less than $33,210,000 for airport technology research, and $10,000,000 for the small community air service development program.

GRANTS-IN-AID FOR AIRPORTS

The conferees provide $500,000,000 in new budget authority for additional discretionary grants for airport construction projects.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002095

Section 110 allows no more than 600 technical staff-years at the center for advanced aviation systems development.

Section 111 prohibits funds for adopting guidelines or regulations requiring airport sponsors to provide FAA "without cost" building construction or space.

Section 112 allows reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114 prohibits funds for Sunday premium pay unless work was actually performed on a Sunday.

Section 115 prohibits funds from being used to buy store gift cards with Government issued credit cards.

Section 116 prohibits funds from being obligated or expended for retention bonuses for FAA employees without prior written approval of the DOT Assistant Secretary for Administration.

Section 117 requires the Secretary to block the display of an owner or operator's aircraft registration number in the aircraft situational display to industry program upon the request of an owner or operator.

Section 118 prohibits funds for salaries and expenses of more than eight political and Presidential appointees in the FAA.

Section 119 prohibits funds to increase fees under 49 U.S.C. 44721 until the FAA provides a report to the House and Senate Committees on Appropriations that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

Section 119A requires the FAA to notify the House and Senate Committees on Appropriations at least 90 days before closing a regional operations center or reducing the services provided.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002096

Section 119B prohibits funds from being used to change weight restrictions or prior permission rules at Teterboro Airport in New Jersey.

Section 119C prohibits funds from being used to withhold from consideration and approval certain application for participation in the contract tower program, or for certain reevaluations of cost-share program participation.

Section 119D requires FAA to take certain actions regarding organization delegation authorization.

Section 119E prohibits funds for construction of shelter for snow equipment in excess of equipment needs unless the airport sponsor certifies conformity with certain requirements.

Section 119F requires the FAA to permit intermittent large cargo air carriers to land in remote areas using alternative meteorological weather reports.

Section 119G allows the transfer of funds from the "Grants-in-Aid for Airports" account to reimburse airports affected by temporary flight restrictions for residences of the President.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

The conferees limit obligations for the administrative expenses of the Federal Highway Administration (FHWA) to $446,444,304. In addition, the conferees provide $3,248,000 for the administrative expenses of the Appalachian Regional Commission.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002097

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conferees limit obligations for the federal-aid highways program to $45,268,596,000 in fiscal year 2019.

Alternative fuel corridors.—The conferees direct the Federal Highway Administration (FHWA) to deliver the report required under 23 U.S.C. 151(e) to the House and Senate Appropriations Committees when it is completed. The conferees do not require any additional reporting on alternative fuel corridors.

Infrastructure for Rebuilding America (INFRA) and freight transportation.— The conferees expect the Secretary to prioritize INFRA funding awards to port projects and the intermodal connections that serve those facilities, where eligible under the FAST Act.

Autonomous Vehicles and Pavement Performance.— The conferees direct the Department to consider and evaluate the impact of autonomous vehicles, particularly commercial vehicles, on pavement service life when conducting research on pavement performance.

Manual on Uniform Traffic Control Devices (MUTCD). --- The conferees direct FHWA to publish a schedule for an update to the MUTCD for the safe use of our roadways by both human drivers and automated vehicles.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002098

Rubber modified asphalt usage.—The conferees do not direct a study of rubber modified asphalt technology within the amount provided for research and instead direct the Secretary, through the academic and scientific community, to consider the performance, longevity, and safety benefits of rubber modified asphalt when conducting research on other topics related to the application of this technology. Such consideration should include state acceptance of and government barriers to the use of rubber modified asphalt. The conferees direct the Secretary to report the Secretary's findings to the House and Senate Committees on Appropriations, the House Committee on Energy and Commerce, and the Senate Committee on Commerce, Science, and Transportation as relevant research is completed.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002099

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conferees provide a liquidating cash appropriation of $46,007,596,000, which is available until expended, to pay the outstanding obligations of the various highway programs at the levels provided in this Act and prior appropriations acts.

AMERICAN OVERSIGHT

HIGHWAY INFRASTRUCTURE PROGRAMS

The conferees provide $3,250,000,000 from the general fund, of which $2,729,000,000 is for state road and bridge projects, $16,000,000 is for the Puerto Rico highway program, $5,000,000 is for the territorial highway program, $25,000,000 is for the nationally significant federal lands and tribal projects program, and $475,000,000 is for a bridge replacement and rehabilitation program in qualifying states that have a disproportionate percentage of bridge surface that is in poor condition.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002101

Section 120 distributes the federal-aid highways program obligation limitation.

Section 121 allows funds received by the Bureau of Transportation Statistics from the sale of data products to be credited to the federal-aid highways account.

Section 122 provides requirements for any waiver of Buy America requirements.

Section 123 prohibits funds from being used to provide credit assistance under sections 603 and 604 of title 23, United States Code, unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations, the Senate Committee on Environment and Public Works, the Senate Committee on Banking, Housing and Urban Affairs, and the House Committee on Transportation and Infrastructure at least three days prior to credit application approval.

Section 124 requires 60-day notification to the Committees on Appropriations for any INFRA grants awarded under 23 U.S.C. 117 provided that such notification shall be made no later than 180 days from the date of enactment of this Act.

Section 125 allows state DOTs to repurpose certain highway project funding to be used within 50 miles of its original designation.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002102

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conferees include a liquidation of contract authorization and a limitation on obligations of $284,000,000 for the operations and programs of the Federal Motor Carrier Safety Administration (FMCSA). Of this limitation, $9,073,000 is for the research and technology program and $34,824,000 is for information management, to remain available for obligation until September 30, 2021.

Bus and lease interchange rule.— The conferees include a provision prohibiting funds from being used to implement, enforce, or make effective the May 27, 2015 "Lease and Interchange of Vehicles" rule and therefore do not include direction to modify that same rule. However, the conferees do not prohibit DOT from proceeding with a new rule that incorporates input from stakeholders.

Pilot program completion.—The conferees direct FMCSA to ensure the safe and timely completion of the flexible sleeper berth pilot program.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002103

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conferees provide a liquidating cash appropriation of $382,800,000 and a limitation on obligations of $382,800,000 for motor carrier safety grants.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Section 130 requires FMCSA to send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or some other manner of delivery which records receipt of the notice by the persons responsible for the violations.

Section 131 prohibits funds from being used to enforce the electronic logging device rule with respect to carriers transporting livestock or insects.

Section 132 prohibits funds from being used to implement, enforce, or otherwise make effective a rule related to the lease and interchange of vehicles by motor carriers of passengers.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002104

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

The conferees provide $190,000,000 from the general fund for operations and research. Of this amount, $40,000,000 shall remain available until September 30, 2020.

In addition to salaries and expenses, the conferees provide $25,000,000 for rulemaking programs, of which not less than $16,000,000 is for the new car assessment program, $33,000,000 for enforcement programs, of which not less than $20,000,000 is for the Office of Defects Investigation, and $49,000,000 for research and analysis programs, of which not less than $15,000,000 is for vehicle electronics and emerging technologies which includes research of automated vehicle technologies.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002105

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conferees provide a liquidating cash appropriation and an obligation limitation of $152,100,000, to remain available until expended, which reflects the authorized level of contract authority. Consistent with the FAST Act, the conferees include $5,312,000 for in-vehicle alcohol detection device research.

Additional highway safety funding.— The conferees provide $14,000,000 in additional highway safety funding through the general fund under section 143 of this title. Of this amount, the conferees provide $7,000,000 to support a high visibility enforcement paid-media campaign in the area of highway-rail grade crossing safety. The conferees direct NHTSA to coordinate these resources with other highway safety media campaigns, and to work collaboratively with the Federal Railroad Administration on the campaign's message development. The conferees direct the remaining $7,000,000 be used for grants, pilot program activities, and other innovative solutions to reduce impaired-driving fatalities including law enforcement awareness, training, and other countermeasures that improve safety and reduce impaired driving fatalities associated with both drug and alcohol impairment. Countermeasure activities shall include those likely to provide the greatest reductions in impaired driving, that are applicable or transferable broadly within law enforcement, or which promise to increase efficiency in the recognition, enforcement, and processing of impaired drivers on the nation's highways.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002106

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conferees provide a liquidating cash appropriation and an obligation limitation of $610,208,000 for highway traffic safety grants, to remain available until expended.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002107

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Section 140 provides funding for travel and related expenses for state management reviews and highway safety core competency development training.

Section 141 exempts obligation authority made available in previous public laws from the obligation limitations set for the current year.

Section 142 prohibits funds from being used to mandate global positioning systems in private vehicles without consideration of privacy concerns.

Section 143 provides additional funding for highway safety programs.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

The conferees provide $221,698,000 for safety and operations of the Federal Railroad Administration (FRA). Of the funds provided, $18,000,000 is available until expended.

The conferees fund the following priorities:

Safe transportation of energy products	$2,000,000
Automated track inspection program and data analysis	16,500,000
Railroad safety information system and front end interface	4,800,000
Positive train control (PTC) support program	10,000,000
Confidential close call program	3,000,000
Trespasser prevention strategy and risk model	500,000
National bridge system inventory update and model modification	600,000

The conferees require FRA to submit the information detailed in the Senate report on railroad PTC status, enforcement plans, and effects on rail service 30 days after enactment of this Act.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002108

RAILROAD RESEARCH AND DEVELOPMENT

The conferees provide $40,600,000, to remain available until expended, for railroad research and development. This amount includes $2,500,000 to improve safety practices and training for Class II and Class III freight railroads; $2,000,000 for tank car research related to the safe transportation of energy products in partnership with other Federal agencies; and up to $5,000,000 for partnerships with qualified universities for research on rail system safety, capacity and efficiency, of which $1,000,000 is for research with universities on intelligent railroad systems.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The conferees authorize the Secretary to issue direct loans and loan guarantees pursuant to sections 501 through 504 of P.L. 94-210.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

The conferees provide $400,000,000, to remain available until expended, for grants authorized by section 24911 of title 49, United States Code, and allow the Secretary to withhold up to one percent for project management and oversight of these grants. In addition, the conferees direct the Secretary to issue a notice of funding opportunity (NOFO) consistent with the guidelines from the FAST Act for all funds appropriated in fiscal years 2017, 2018, and 2019 within 30 days of enactment of this Act, and make awards within 180 days of enactment of this Act. The conferees reiterate that Federal-State Partnership for State of Good Repair projects eligible under 24911(c) are authorized to include all capital projects to replace or rehabilitate qualified railroad assets, consistent with the requirements of section 24911 of title 49. This program helps protect existing rail infrastructure and funds investments and maintenance that can avoid costly repairs in the future.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002109

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

The conferees provide $255,000,000 to remain available until expended, for consolidated rail infrastructure and safety improvements grants, and direct the Department to prioritize funds for railroads that are most at risk of not meeting the PTC deadline.

RESTORATION AND ENHANCEMENT

The conferees provide a total of $5,000,000, to remain available until expended, for restoration and enhancement grants authorized by section 24408 of title 49 U.S.C.

MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

The conferees provide a total of $10,000,000, to remain available until expended, for deployment of magnetic levitation transportation projects.

THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

The conferees provide a total of $1,941,600,000 for the National Railroad Passenger Corporation. The conferees direct Amtrak to provide discounted passenger fares to veterans (as defined in section 101 of title 38, United States Code) consistent with the discounted passenger fares currently provided to active duty military personnel, and to submit with its fiscal year 2020 congressional justification a report that addresses items enumerated in the House and Senate reports on charter, special, and private trains. The conferees also direct Amtrak to evaluate

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002110

options to address the weekday Northeast Regional Train between Washington and Boston and to submit a report within 90 days of enactment of this Act.

The conferees direct Amtrak to provide a station agent in each Amtrak station that had a ticket agent position eliminated in fiscal year 2018. Station agents, which include Amtrak ticket agents or caretakers, assist passengers with their intercity rail travel, provide customer service during all hours that a station is open, and perform building maintenance duties. The conferees direct Amtrak to improve communication and collaboration with local partners and take into consideration the unique needs of each community, including impacts to local jobs, when making decisions related to the staffing of Amtrak stations, and to work with stakeholders to maximize the efficiency of these station agents.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The conferees provide $650,000,000 for the Secretary to make grants for activities associated with the Northeast Corridor (NEC), defined as the main line between Boston, Massachusetts, and the District of Columbia, and the facilities and services used to operate and maintain that line.

The conferees allow the Secretary to retain up to one-half of one percent of the total provided to Amtrak for project management and oversight costs and require not less than $50,000,000 to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act. The conferees also allow up to $5,000,000 of the NEC grants to fund the NEC Commission expenses.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002111

The conferees provide $1,291,600,000 for the Secretary to make grants for activities associated with the National Network. National Network Grants provide operating and capital funding for expenses on Amtrak's entire network, including long-distance routes that operate on the NEC. Of this amount, the conferees allow the Secretary to retain up to $2,000,000 to fund expenses associated with the state-supported route committee, and direct that not less than $50,000,000 shall be for railroad safety technologies on state-supported routes on which PTC systems are not required. Further, the conferees direct that no less than $50,000,000 shall be for capital expenses that enable continued passenger rail operation on long-distance routes where Amtrak is the sole operator and PTC systems are not required.

The conferees do not require GAO to submit a report on on-time performance, but require the Amtrak OIG to submit a similar report.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

Section 150 limits overtime to $35,000 per employee. The conferees allow Amtrak's president to waive this restriction for specific employees for safety or operational efficiency reasons. The conferees require Amtrak's president to provide an annual report by March 1, 2019 that summarizes Amtrak's total overtime expenses in 2018 and the three prior years, and the number of employees receiving overtime cap waivers and total overtime payments resulting from waivers by month of the 2018 calendar year and the three prior calendar years.

Section 151 expresses the sense of Congress that long distance passenger rail routes should be retained to ensure connectivity throughout the National Network.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002112

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

The conferees direct $113,165,000 for the administrative expenses of the Federal Transit Administration (FTA), of which up to $1,000,000 shall be available for administrative expenses related to transit asset management.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conferees limit obligations from the mass transit account for transit formula grants to $9,939,380,030 as authorized by the FAST Act. Funds are to be distributed as authorized. Further, the conferees provide $9,900,000,000 for the liquidation of contract authority.

TRANSIT INFRASTRUCTURE GRANTS

The conferees direct an additional $700,000,000 in transit infrastructure grants to remain available until expended. Of the funds provided, $350,000,000 is available for grants for buses and bus facilities authorized under 49 U.S.C. 5339, of which $160,000,000 is provided for formula grants, $160,000,000 is provided for competitive grants, and $30,000,000 is provided for low or no emission grants; $263,000,000 is available for state of good repair grants authorized under 49 U.S.C. 5337; $40,000,000 available for formula grants for rural areas authorized under 49 U.S.C. 5311; $40,000,000 is available for high density state apportionments authorized under 49 U.S.C. 5340(d); $1,000,000 is available for the bus testing facility authorized under 49 U.S.C. 5318; and $6,000,000 is available for bus testing facilities authorized under 49 U.S.C. 5312(h). The conferees provide funding from the general fund, and the funding is not subject to any limitation on obligations.

TECHNICAL ASSISTANCE AND TRAINING

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002113

The conferees direct $5,000,000 for research activities under 49 U.S.C. 5314. In addition to the directly appropriated funds, another $9,000,000 is provided through the obligation limitation under the heading "Transit Formula Grants". Of the amounts provided, no less than $1,500,000 shall be for cooperative agreements where FTA assists small urban, rural, and tribal public transit recipients and planning organizations, and no less than $5,000,000 shall be available for technical assistance and training to increase mobility for people with disabilities and older adults.

CAPITAL INVESTMENT GRANTS

The conferees direct $2,552,687,000 for fixed-guideway projects to remain available until September 30, 2022, and direct the Secretary to administer the Capital Investment Grants (CIG) program and move projects through the program to construction in accordance with the requirements of 49 U.S.C. 5309 and section 3005(b) of the FAST Act. Of the funds provided, $1,265,670,000 is available for new starts projects, $635,000,000 is available for core capacity projects, $526,500,000 is available for small starts projects, $100,000,000 is available for the expedited project delivery pilot program, and $25,517,000 is available for oversight activities. The conferees direct the Secretary to obligate $2,169,783,950 of the amount provided for the Capital Investment Grants Program by December 31, 2020.

The conferees direct FTA to carry out the will of Congress and continue to advance eligible projects into project development, engineering, and construction through the CIG evaluation, rating, and approval process. The conferees direct the Secretary to allow projects to enter into project development, advance projects through project development, advance projects into engineering, enter into Full Funding Grant Agreements (FFGA) for new starts or core capacity projects that have met the requirements, and to enter into grant agreements for small starts projects that have met the requirements. The conferees direct FTA to continue to update the Committees on the status of projects in the pipeline, and include a list of all letters of no prejudice and early systems work agreements under review by the FTA in each monthly CIG program update. The list should include the requestor, the date the request was received by FTA, and any status changes since the last update. The conferees direct the Secretary to maintain the Federal government's funding commitments for all existing grant agreements, and identify all

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002114

projects with a medium or higher rating that anticipate a grant agreement in fiscal year 2019 or 2020. The conferees direct that FTA may allocate funding for projects without an FFGA.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

The conferees direct $150,000,000 to carry out section 601 of division B of Public Law 110-432, to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows funds provided in this Act for fixed guideway capital investment projects that remain unobligated by September 30, 2022 to be available for projects to use the funds for the purposes for which they were originally provided.

Section 162 allows for the transfer of appropriations made prior to October 1, 2017 from older accounts to be merged into new accounts with similar current activities.

Section 163 prohibits funds to enter into an FFGA for a project with a New Starts share greater than 51 percent.

Section 164 rescinds $46,560,000 of the unobligated amounts from Transit Formula Grants.

Section 165 prohibits the use of funds to implement or further new CIG policies such as those detailed in the June 29, 2018 FTA "Dear Colleague" letter.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002115

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

The conferees direct $36,000,000 for the operations, maintenance, and capital asset renewal program activities of the Saint Lawrence Seaway Development Corporation (SLSDC). Of that amount, not less than $16,000,000 is provided for capital asset renewal activities. SLSDC is directed to submit an annual report to the House and Senate Committees on Appropriations on its asset renewal program activities by April 30, 2019.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conferees provide the authorized level of $300,000,000 for the maritime security program, to be available until expended.

OPERATIONS AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

The conferees provide a total of $149,442,000 for the Maritime Administration's (MARAD) operations and training account. Of this amount, the conferees direct that $60,849,000 is for MARAD headquarters, regional offices, and maritime program expenses, of which $50,849,000 is for headquarter operations, $7,000,000 is for the short sea transportation program (America's Marine Highways), and $3,000,000 is for the maritime environment and technology assistance program.

Within the total amount provided, $88,593,000 is for the U.S. Merchant Marine Academy (USMMA), of which $70,593,000 is for operations, up to $10,000,000 is for the capital improvement program, and not less than $8,000,000 is for maintenance, repairs, and equipment.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002116

The conferees no longer require GAO to report on whether USMMA should be subject to additional Title IX requirements, nor direct the USMMA to provide updates on the status of the implementation of actions plans to address sexual assault and sexual harassment, as similar reports are already required under sections 3508 and 3509 of P.L. 115-232. However, the conferees direct MARAD to provide the reports required under P.L. 115-232 to the House and Senate Committees on Appropriation upon completion and to provide briefings on these subjects immediately upon request.

The conferees direct the Secretary to consult with the Assistant Secretary of the Army for Civil Works to identify existing and new authorities needed to leverage funds from DOT for inland waterway projects.

The conferees move budget activities and transfer unobligated balances associated with state maritime academy functions and programs to a new state maritime academy operations account.

STATE MARITIME ACADEMY OPERATIONS

The conferees provide a total of $345,200,000 for state maritime academy operations. Of this amount, the conferees direct $25,000,000 for schoolship maintenance and repair, $8,000,000 to support the cost of sharing training ships, $6,000,000 for direct payments to State Maritime Academies (SMAs), $2,400,000 for the student incentive program, and $3,800,000 for fuel assistance payments.

The conferees also provide $300,000,000 for the design and construction of a new common schoolship for the national security multi-mission vessel program, and direct MARAD to replace SMA training vessels based on the planned end-of-service-life of existing training vessels, with the vessel with the shortest remaining service life to be replaced first. For ships that have the same end-of-service life, preference shall be based on meeting training capacity needs. The order of replacement based on end-of-service-life dates for the SMA ships is as follows: *TS Empire State* - SUNY Maritime College; *TS Kennedy* - Massachusetts Maritime Academy; *TS State of Maine* - Maine Maritime Academy; *TS General Rudder* - Texas A&M Maritime

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002117

Academy; *TS Golden Bear* - California Maritime Academy; *TS State of Michigan* - Great Lakes Maritime Academy.

ASSISTANCE TO SMALL SHIPYARDS

The conferees provide $20,000,000 for the small shipyard grant program, to remain available until expended.

SHIP DISPOSAL

The conferees provide $5,000,000 for the ship disposal program, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conferees provide a total of $3,000,000 for administrative expenses of the Title XI program and directs these funds to be transferred to MARAD's operations and training account. The conferees direct the Department to expeditiously process pending applications that meet the terms, conditions, and financial performance requirements of the program.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

The conferees provide a total of $292,730,000, to remain available until expended, for the port infrastructure development program authorized under 50302 of title 46, United States Code. The conferees direct MARAD to provide grants for infrastructure improvement projects for coastal seaports that are either within the seaport's boundary, or outside its boundary if the project directly relates to port operations, or to an intermodal connection to a port that improves the safety, efficiency, or reliability of the movement of goods into, out of, or around coastal seaports. Eligible projects include, but are not limited to, highway or rail infrastructure that

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develops or extends intermodal connectivity, intermodal facilities, marine terminal equipment, wharf construction or redevelopment, vessel alternative fueling access and distribution, fuel efficient cargo handling equipment, freight intelligent transportation systems, and digital infrastructure systems. The conferees direct that the Secretary ensure that any fully-automated cargo-handling equipment procured under this section will not directly result in a net job loss or directly reduce the overall safety, reliability and efficiency of a port.

Of the total, the conferees direct that $92,730,000 shall be available for grants to the 15 coastal seaports that handled the greatest number of loaded twenty-foot equivalent units (TEUs) of foreign and domestic containerized cargo in 2016, as reported by the U.S. Army Corps of Engineers, and this set-aside does not preclude eligibility for the remaining amounts made available under this heading.

ADMINISTRATIVE PROVISIONS – MARITIME ADMINISTRATION

Section 170 authorizes MARAD to furnish utilities and services and to make necessary repairs in connection with any lease, contract, or occupancy involving government property under control of MARAD and allows payments received to be credited to the Treasury and to remain available until expended.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

The conferees provide $23,710,000 for the necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration (PHMSA). The conferees direct PHMSA to issue a final rule to require comprehensive oil spill response plans for rail carriers within 90 days of enactment of this Act and institute a fine of $10,000 for each day that such rule has not been issued following the expiration of that period.

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HAZARDOUS MATERIALS SAFETY

The conferees provide $58,000,000 for PHMSA's hazardous materials safety functions. Of this amount, $7,570,000 shall be available until September 30, 2021, and up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund as offsetting receipts. Funds made available until September 30, 2021, are for long-term research and development contracts.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

The conferees provide $165,000,000 for PHMSA's pipeline safety program. Of that amount, $23,000,000 is derived from the oil spill liability trust fund, $134,000,000 is derived from the pipeline safety fund, and $8,000,000 is derived from fees collected under 49 U.S.C. 60302 and deposited in the underground natural gas storage facility safety account. Of the total amount, not less than $53,000,000 shall be for state pipeline safety grants.

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EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

The conferees provide an obligation limitation of $28,318,000 for emergency preparedness grants. The conferees permit the use of prior year recoveries to develop a hazardous materials response training curriculum for emergency responders, to make such training available through an electronic format, and to make grants to train public sector employees and instructors on how to respond to hazardous materials incidents.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conferees provide $92,600,000 for the salaries and expenses of the office of inspector general (OIG). The conferees request the OIG to provide the House and Senate Committees on Appropriations a report on the Florida International University bridge collapse, within 180 days, that details: (1) any prior safety violations during construction or structural deficiencies related to design or construction flaws in bridge projects involving any of the firms involved in the design, construction, and inspection of the structure, or their contractors; (2) any criminal conviction of these firms for alleged design or construction deficiencies; (3) a list of all firms which have received Federal funding from the Department and that have a history of accidents, violations, and/or structural deficiencies with frequencies greater than those that would be consistent with construction completed with the appropriate focus on the safety and security of workers and the public requisite for these types of projects.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 180 provides authorization for DOT to maintain and operate aircraft, hire passenger motor vehicles and aircraft, purchase liability insurance, buy uniforms, or allowances therefor.

Section 181 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate permitted for an Executive Level IV.

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Section 182 prohibits recipients of funds in this Act from disseminating personal information obtained by state DMVs in connection to motor vehicle records with an exception.

Section 183 prohibits funds in this Act for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation.

Section 184 stipulates that revenue collected by FHWA and FRA from States, counties, municipalities, other public authorities, and private sources for training be transferred into specific accounts within the agency with an exception.

Section 185 prohibits DOT from using funds to make a grant, loan, loan guarantee, or cooperative agreement unless DOT gives a 3-day advance notice to the House and Senate Committees on Appropriations. The provision also requires notice of any "quick release" of funds from FHWA's emergency relief program, and prohibits notifications from involving funds not available for obligation. The provision requires DOT to provide a comprehensive list of all loans, loan guarantees, lines of credit, and discretionary grants that will be announced with a 3-day advance notice to the House and Senate Committees on Appropriations.

Section 186 allows funds received from rebates, refunds, and similar sources to be credited to appropriations of DOT.

Section 187 allows amounts from improper payments to a third party contractor that are lawfully recovered by DOT to be made available until expended to cover expenses incurred in recovery of such payments.

Section 188 requires that reprogramming actions have to be approved or denied by the House and Senate Committees on Appropriations, and reprogramming notifications shall be transmitted solely to the Appropriations Committees.

Section 189 allows funds appropriated to modal administrations to be obligated for the Office of the Secretary for costs related to assessments only when such funds provide a direct benefit to that modal administration.

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Section 190 authorizes the Secretary to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits, including distribution of transit benefits.

Section 191 allows the use of funds to assist a contract utilizing geographic, economic, or other hiring preference not otherwise authorized by law, only if certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

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TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

The conferees require the Department of Housing and Urban Development (HUD) to continue its efforts to ensure victims of domestic violence and assault are not unlawfully evicted or denied housing, as required by the Violence Against Women Reauthorization Act of 2013, and to report on these activities within 180 days of enactment of this Act.

EXECUTIVE OFFICES

The conferees include $14,900,000 for the salaries and expenses for executive offices, available until September 30, 2020, which shall be comprised of seven offices including the Offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships.

ADMINISTRATIVE SUPPORT OFFICES

The conferees provide $541,500,000 for the salaries and expenses for administrative support offices, available until September 30, 2020. Funds are provided as follows:

Office of the Chief Financial Officer	$70,400,000
Office of the General Counsel	97,800,000
Office of Administration	206,300,000
Office of the Chief Human Capital Officer	40,400,000
Office of Field Policy and Management	54,300,000
Office of the Chief Procurement Officer	19,100,000
Office of Departmental Equal Employment Opportunity	3,800,000
Office of Business Transformation	4,700,000
Office of the Chief Information Officer	44,700,000
Total	$541,500,000

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PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

The conferees provide $219,800,000 for the salaries and expenses for the Office of Public and Indian Housing, to remain available until September 30, 2020.

COMMUNITY PLANNING AND DEVELOPMENT

The conferees provide $112,344,000 for the salaries and expenses for the Office of Community Planning and Development, to remain available until September 30, 2020. The conferees direct HUD to prioritize hiring and backfilling of staff to support grant monitoring and the closeout of open audits and backlog of audits in Regions I and IV. The conferees provide no less than $444,000 for new personnel hires in Region I in order to fulfill mission critical functions, including program oversight and management and the closeout of open audits and backlog in Region I.

HOUSING

The conferees provide $382,500,000 for the salaries and expenses for the Office of Housing, to remain available until September 30, 2020. The conferees direct the Department to ensure the Office of Recapitalization is funded at no less than $12,000,000.

POLICY DEVELOPMENT AND RESEARCH

The conferees provide $26,000,000 for the salaries and expenses for the Office of Policy Development and Research, to remain available until September 30, 2020.

FAIR HOUSING AND EQUAL OPPORTUNITY

The conferees provide $72,900,000 for the salaries and expenses for the Office of Fair Housing and Equal Opportunity, to remain available until September 30, 2020.

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OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

The conferees provide $8,600,000 for the salaries and expenses for the Office of Lead Hazard Control and Healthy Homes, to remain available until September 30, 2020.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees provide the Secretary with the authority to transfer amounts provided in this title for salaries and expenses, except those for the Office of Inspector General, to this account for the purpose of funding certain approved centralized activities.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

The conferees provide $22,598,000,000 for all tenant-based Section 8 activities under the tenant-based rental assistance account.

The conferees do not increase the amount of Section 8 administrative fees to be distributed at the discretion of the Secretary. The conferees encourage, but do not require HUD to prioritize the needs of Public Housing Authorities (PHAs) that participate in the mobility demonstration program or that have been impacted by disasters when awarding discretionary administrative fee amounts. The conferees do not include the authority to make temporary adjustments to allocations for PHAs in an area for which the President declared a disaster.

Family mobility demonstration.—The conferees include $25,000,000 to implement a family mobility demonstration, including no less than $20,000,000 to support PHA programs designed to empower families to successfully move to, and remain in, lower-poverty areas and up to $5,000,000 for incremental housing vouchers for families with children that participate in the demonstration. The conferees include resources in 2019 within the policy development and research account to support a systematic evaluation of the approaches employed under this demonstration.

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Public housing assessment system.— The conferees acknowledge receipt of a HUD report on potential changes to the public housing assessment system for PHAs that operate 550 or fewer units and vouchers combined and does not direct HUD to repeat this reporting requirement in fiscal year 2019.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

The conferees include language allowing unobligated balances in the housing certificate fund to be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators.

PUBLIC HOUSING CAPITAL FUND

The conferees provide $2,775,000,000 for the public housing capital fund. The conferees provide up to $14,000,000 for public housing financial and physical assessment activities, up to $1,000,000 for administrative and judicial receiverships, not to exceed $30,000,000 for emergency capital needs, of which not less than $10,000,000 is for safety and security measures, up to $35,000,000 for the resident opportunities and self-sufficiency program, $15,000,000 for the jobs-plus pilot initiative, and $25,000,000 for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing. The conferees do not include funding for grants to support demolition of physically obsolete public housing properties.

Emergency call systems.—The conferees direct the Office of Public and Indian Housing to issue the clarifying guidance regarding emergency call systems required under Senate Report 115-268 within 90 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

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The conferees provide $4,653,116,000 for the public housing operating fund, to remain available until September 30, 2020.

CHOICE NEIGHBORHOODS INITIATIVE

The conferees provide $150,000,000 for the choice neighborhoods initiative, to remain available until September 30, 2021. The conferees include language requiring that at least $75,000,000 be made available to public housing agencies, and provide up to $5,000,000 for grants to fund comprehensive local implementation plans with community notice and input. The conferees require the Department to issue the notice of funding availability within 60 days of enactment of this Act.

FAMILY SELF-SUFFICIENCY

The conferees provide $80,000,000 for the family self-sufficiency (FSS) program to support service coordinators who serve residents in both the public housing and voucher programs, to remain available until September 30, 2020.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

The conferees provide $755,000,000 for the Native American Housing Block Grants program. Of the total amount, $100,000,000 is provided for competitive grants, to remain available until September 30, 2023 to be awarded through a single national competition based on need and capacity. The remaining $655,000,000 shall be for the formula funding program, to remain available until September 30, 2023. Of this amount, $7,000,000 is set-aside for inspections, contracting expertise, training, and technical assistance related to funding provided for the needs of Native Americans, including no less than $2,000,000 to be awarded to a national organization as authorized by section 703 of the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), and $2,000,000 is set-aside for the cost of guaranteed

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loans as authorized by title VI of NAHASDA provided the principal amount is no greater than $17,761,989.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

The conferees provide $1,440,000, to remain available until expended, to subsidize a total loan level of up to $553,846,154.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

The conferees provide $2,000,000 for the Native Hawaiian Housing Block Grant program, to remain available until September 30, 2023.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

The conferees provide $393,000,000 for the housing opportunities for persons with AIDS program, to remain available until September 30, 2020, except for amounts allocated pursuant to 854(c)(5) which are available until September 30, 2021.

COMMUNITY DEVELOPMENT FUND

The conferees direct $3,365,000,000 for the community development fund, to remain available until September 30, 2021. Of the total, the conferees direct $3,300,000,000 in formula funding and $65,000,000 for Indian tribes, of which up to $4,000,000 is available for imminent health and safety emergencies.

COMMUNITY DEVELOPMENT LOAN GUARANTEES

PROGRAM ACCOUNT

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The conferees do not provide a credit subsidy for this program, but instead provide the authority to collect fees from borrowers adequate to result in a subsidy cost of zero. The conferees also provide an aggregate limitation on commitments of no more than $300,000,000 for loan guarantees under section 108.

HOME INVESTMENT PARTNERSHIPS PROGRAM

The conferees provide $1,250,000,000, to remain available until September 30, 2022, for the Home Investment Partnerships (HOME) program.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

The conferees provide a total of $54,000,000, to remain available until September 30, 2021 in the following amounts and for the following purposes: $10,000,000 for the self-help homeownership opportunity program; $35,000,000 for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993, of which not less than $5,000,000 shall be for rural capacity building activities; $5,000,000 for capacity building activities by national organizations with expertise in rural housing development; and $4,000,000 for a program to rehabilitate and modify homes of disabled or low-income veterans as authorized under section 1079 of Public Law 113-291.

HOMELESS ASSISTANCE GRANTS

The conferees provide $2,636,000,000, to remain available until September 30, 2021, for homeless assistance grants. Of the amount provided, not less than $280,000,000 shall be for the emergency solutions grants program; not less than $2,219,000,000 shall be for the continuum of care and rural housing stability assistance programs; up to $50,000,000 shall be for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that are critical in order to assist survivors of domestic violence, dating violence, and

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stalking; up to $7,000,000 shall be for the national homeless data analysis project; and up to $80,000,000 shall be for projects in up to 25 communities, including at least eight communities with substantial rural populations, to demonstrate how a comprehensive approach to serving homeless youth can reduce youth homelessness, of which up to $5,000,000 shall be for technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth.

The conferees remind HUD, grantees, and communities that the emergency solutions grant program is a flexible tool that can prevent evictions and reduce unsheltered homelessness.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

The conferees provide $11,347,000,000 for project-based rental assistance activities, to remain available until expended, of which not to exceed $245,000,000 is for performance-based contract administrators. The conferees also provide an additional advance appropriation of $400,000,000, to be made available on October 1, 2019, and allows the Secretary to use project funds held in residual receipt accounts, unobligated balances, including recaptures, and carryover for program activities. The conferees encourage HUD to work with performance-based contract administrators to identify cost savings while ensuring continuation of all necessary tasks.

HOUSING FOR THE ELDERLY

The conferees provide $678,000,000 for the Section 202 program, to remain available until September 30, 2022, of which $51,000,000 shall be for new capital advances and project-based rental assistance contracts, up to $90,000,000 shall be for service coordinators and the continuation of existing congregate service grants, and $10,000,000 shall be for the aging in place home modification grant program. The appropriation, plus carryover balances and residual receipts, fully funds all renewals, amendments, and property inspections related to project-based rental assistance contracts, senior preservation rental assistance contracts, service coordinators, and existing congregate service grants.

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HOUSING FOR PERSONS WITH DISABILITIES

The conferees provide $184,155,000 for the Section 811 program, to remain available until September 30, 2022. The appropriation, plus carryover balances and residual receipts, fully funds all project-based rental assistance contract amendments and renewals. The conferees include $30,155,000 for new capital advance and project rental assistance awards, and direct HUD to prioritize the creation of new unit configurations that help localities comply with the obligations of *Olmstead v. L.C.*, 527 U.S. 581 (1999).

HOUSING COUNSELING ASSISTANCE

The conferees provide $50,000,000 for housing counseling assistance, including up to $4,500,000 for administrative contract services, to remain available until September 30, 2020. The conferees require the Secretary to award grants within 180 days of enactment of this Act and allow for the Secretary to enter into multiyear grant agreements, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

The conferees provide $5,000,000 for the rental housing assistance program and allow for the Department to use funds, including unobligated balances and recaptured amounts, for one-year contract extensions.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

The conferees provide $12,000,000 for the manufactured housing standards programs, of which $12,000,000 is to be derived from fees collected and deposited in the manufactured housing fees trust fund.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

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The conferees establish a limitation of $400,000,000,000 on commitments to guarantee single-family loans and $130,000,000 for administrative contract expenses during fiscal year 2019, which shall be available until September 30, 2020. The conferees also provide an additional $1,400 for administrative contract expenses, up to $30,000,000, for each $1,000,000 in additional guaranteed loan commitments, if guaranteed loan commitment levels exceed $200,000,000,000 by April 1, 2019. The conferees require that insurance for new mortgage commitments in fiscal year 2019 under Section 255 of the National Housing Act have a net credit subsidy cost that does not exceed zero. The conferees prohibit FHA from taking adverse actions against lenders in disaster affected areas based solely on compare ratios.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

The conferees establish a $30,000,000,000 limitation on multifamily and specialized loan guarantees during fiscal year 2019, and provides that such commitment authority shall be available until September 30, 2020. The conferees direct the Secretary to evaluate the impact of, and barriers associated with, including hospitals with more than 50 percent of patients attributable to mental health and substance abuse treatment, in the hospital mortgage insurance program under section 242 of the National Housing Act and expanding the use of healthcare mortgage insurance program under section 232 of the National Housing Act to include residential care facilities that treat individuals with drug and alcohol dependency, and to report to the House and Senate Committees on Appropriations 120 days after enactment of this Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES
LOAN GUARANTEE PROGRAM ACCOUNT

The conferees establish a limitation of up to $550,000,000,000 for new commitments and provide $27,000,000 for salaries and expenses for the government national mortgage association for fiscal year 2019, which shall be available until September 30, 2020. The conferees also provide an increase in salaries and expense funds of $100 for each $1,000,000 in additional guaranteed loan commitments, up to a maximum of $3,000,000, if guaranteed loan commitments exceed $155,000,000,000 by April 1, 2019.

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POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

The conferees provide $96,000,000 for research and technology activities and technical assistance, to remain available until September 30, 2020. The conferees provide $50,000,000 for core research and technology including: market surveys, research support and dissemination, data acquisition, housing finance studies, research partnerships, and housing technology.

The conferees provide not less than $29,000,000 under this heading for technical assistance, of which $3,000,000 is for non-profit or private sector organizations to assist distressed cities or regions with populations under 40,000 and that have been impacted by a natural disaster, and up to $1,000,000 for envision center technical assistance.

The conferees provide up to $17,000,000 for critical research, demonstrations, and evaluations, including:

- Up to $1,000,000 for an envision center evaluation;
- Up to $4,000,000 for the moving to work expansion demonstration expansion evaluation;
- $3,000,000 for the housing mobility demonstration;
- $2,000,000 for homeless youth research activities authorized under section 345 of the Runaway and Homeless Youth Act;
- Up to $1,000,000 for the Office of Innovation for innovation awards;
- Continued funding for the choice neighborhood implementation study and the rent reform demonstration; and
- New funding for: the Home Equity Conversion Mortgage (HECM) improvement study; long term tracking of the family self-sufficiency program; a process evaluation of the Section 3 program; administrative data linkages to assess long term outcomes of exit from assisted housing; and research addressing the housing needs of older Americans.

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In addition, the conferees direct HUD to compile and publish all research it supported over the prior 5 years relating to the HECM program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

The conferees provide $65,300,000 for fair housing activities, of which $39,600,000 is for the Fair Housing Initiatives Program (FHIP), $23,900,000 is for the fair housing assistance program, $1,500,000 is for the national fair housing training academy, and $300,000 is for translated materials. Of the funds available for FHIP, not less than $7,450,000 is available for education and outreach programs.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

The conferees direct $279,000,000 for the lead hazard control and healthy homes programs, to remain available until September 30, 2020. Of the amount provided, $45,000,000 is available for the healthy homes initiative. The conferees provide $64,000,000 for the implementation of projects to demonstrate how intensive, extended, multi-year interventions can reduce the presence of lead-based paint hazards in low-income, pre-1940 homes by achieving economies of scale that can lower the cost of remediation activities. The conferees direct that seven five-year grants of no less than $6 million per grant be awarded pursuant to this demonstration program.

INFORMATION TECHNOLOGY FUND

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The conferees direct $280,000,000 for the information technology fund, of which $260,000,000 is available until September 30, 2020, and $20,000,000 is available until September 30, 2021.

OFFICE OF INSPECTOR GENERAL

The conferees provide $128,082,000 for the salaries and expenses of the office of inspector general.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

Section 201 splits overpayments evenly between Treasury and State Housing Finance Agencies.

Section 202 prohibits funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203 requires any grant or cooperative agreement to be made on a competitive basis, unless otherwise provided, in accordance with Section 102 of the Department of Housing and Urban Development Reform Act of 1989.

Section 204 relates to the availability of funds for services and facilities for GSEs and others subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 205 prohibits the use of funds in excess of the budget estimates, unless provided otherwise.

Section 206 relates to the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 207 requires the Secretary to provide quarterly reports on uncommitted, unobligated, recaptured, and excess funds in each departmental program and activity.

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Section 208 requires the Administration's budget and HUD's budget justifications for fiscal year 2020 to be submitted in the identical account and sub-account structure provided in this Act.

Section 209 exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990.

Section 210 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred and other conditions are met.

Section 211 sets forth requirements for Section 8 voucher assistance eligibility, and includes consideration for persons with disabilities.

Section 212 distributes Native American Housing Block Grants to the same Native Alaskan recipients as in fiscal year 2005.

Section 213 instructs HUD on managing and disposing of any multifamily property that is owned or held by HUD.

Section 214 allows the Section 108 loan guarantee program to guarantee notes or other obligations issued by any State on behalf of non-entitlement communities in the State.

Section 215 allows PHAs that own and operate 400 or fewer units of public housing to be exempt from asset management requirements.

Section 216 restricts the Secretary from imposing any requirements or guidelines relating to asset management that restrict or limit the use of capital funds for central office costs, up to the limits established in law.

Section 217 requires that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such employee has received certain training.

Section 218 requires the Secretary to publish all notices of funding availability that are competitively awarded on the internet for fiscal year 2019.

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Section 219 requires attorney fees for programmatic litigation to be paid from the individual program office and Office of General Counsel salaries and expenses appropriations, and requires the Department to submit a spend plan to the House and Senate Committees on Appropriations.

Section 220 allows the Secretary to transfer up to 10 percent of funds or $5,000,000, whichever is less, appropriated under the headings "Administrative Support Offices" or "Program Office Salaries and Expenses" to any other office funded under such headings.

Section 221 requires HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Section 222 places a salary and bonus limit on public housing agency officials and employees.

Section 223 requires the Secretary to notify the House and Senate Committees on Appropriations at least 3 full business days before grant awards are announced.

Section 224 prohibits funds to be used to require or enforce the Physical Needs Assessment (PNA).

Section 225 prohibits funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Section 226 prohibits the use of funds to terminate the status of a unit of general local government as a metropolitan city with respect to grants under section 106 of the Housing and Community Development Act of 1974.

Section 227 allows funding for research, evaluation, and statistical purposes that is unexpended at the time of completion of the contract, grant, or cooperative agreement to be reobligated for additional research.

Section 228 prohibits funds for financial awards for employees subject to administrative discipline.

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Section 229 authorizes the Secretary on a limited basis to use funds available under the "Homeless Assistance Grants" heading to participate in the multiagency Performance Partnership Pilots program for fiscal year 2019.

Section 230 allows program income as an eligible match for 2015, 2016, 2017, 2018, and 2019 continuum of care funds.

Section 231 permits HUD to provide one year transition grants under the continuum of care program with no more than 50 percent of the grant provided for costs of eligible activities of the program component originally funded.

Section 232 prohibits the use of funds to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled, "Affirmatively Furthering Fair Housing" or the notice entitled, "Affirmatively Furthering Fair Housing Assessment Tool".

Section 233 prohibits section 218(g) and 231(b) of the Cranston-Gonzalez National Affordable Housing Act from applying with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, 2019, 2020, or 2021.

Section 234 rescinds the balance of previously appropriated funds.

Section 235 authorizes a housing choice voucher mobility demonstration program.

Section 236 repeals a reporting requirement.

Section 237 maintains current Promise Zone designations and agreements.

Section 238 prohibits funds from being used to establish review criteria, including rating factors or preference points, for competitive grants programs for EnVision Center participation or coordination.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002139

TITLE III – RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

The conferees provide $8,400,000 for the salaries and expenses of the Access Board.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The conferees direct $27,490,000 for the salaries and expenses of the Federal Maritime Commission, of which not more than $2,000 may be available for official reception and representation expenses. Of the funds provided, not less than $365,000 is available for the Office of Inspector General.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

The conferees provide $23,274,000 for the National Railroad Passenger Corporation Office of the Inspector General, and direct the Inspector General to update a 2008 DOT OIG report titled "Effects of Amtrak's Poor on-time Performance" no later than 240 days after enactment of this Act.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

The conferees provide $110,400,000 for the salaries and expenses of the National Transportation Safety Board (NTSB). The conferees do not direct the NTSB to further investigate the recent bridge collapse at Florida International University. Instead, the conferees provide direction on this issue to the Department of Transportation Office of Inspector General.

AMERICAN OVERSIGHT
MULTI-HHS-18-0600-A and 18-604-A-002140

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

The conferees provide $150,000,000 for the Neighborhood Reinvestment Corporation, of which $5,000,000 shall be for a multi-family rental housing program. In addition, the conferees provide $2,000,000 for the promotion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

The conferees provide $37,100,000 for salaries and expenses. The conferees permit the collection of up to $1,250,000 in user fees to be credited to that appropriation and provide that the general fund appropriation be reduced on a dollar-for-dollar basis by the actual amount collected in user fees to result in a final appropriation from the general fund estimated at no more than $35,850,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

The conferees provide $3,600,000 for operating expenses of the United States Interagency Council on Homelessness (USICH) and extends authorization for the council until October 1, 2028.

The conferees direct the Government Accountability Office to conduct an evaluation of USICH management and governance structure including the council's ability to effectively oversee the Executive Director and the agency's annual operations, and deliver a report to the House and Senate Committees on Appropriations within one year of enactment of this Act.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002141

TITLE IV

GENERAL PROVISIONS—THIS ACT

Section 401 prohibits the use of funds for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings.

Section 402 prohibits the obligation of funds beyond the current fiscal year and the transfer of funds to other appropriations, unless expressly provided.

Section 403 limits consulting service expenditures through procurement contracts to those contracts contained in the public record, except where otherwise provided under existing law.

Section 404 prohibits funds from being used for certain types of employee training.

Section 405 specifies requirements for the reprogramming of funds and requires agencies to submit a report in order to establish the baseline for the application of reprogramming and transfer authorities.

Section 406 provides that not to exceed fifty percent of unobligated balances for salaries and expenses may remain available until September 30, 2020, for each account for the purposes authorized, subject to the approval of the House and Senate Committees on Appropriations.

Section 407 prohibits the use of funds for any project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use.

Section 408 prohibits funds from being transferred to any department, agency, or instrumentality of the U.S. Government, except where transfer authority is provided in this or any other appropriations Act.

Section 409 prohibits funds from being used to permanently replace an employee intent on returning to his or her past occupation following completion of military service.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002142

Section 410 prohibits funds from being used by an entity unless the expenditure is in compliance with the Buy American Act.

Section 411 prohibits funds from being made available to any person or entity that has been convicted of violating the Buy American Act.

Section 412 prohibits funds from being used for first-class airline accommodations in contravention of sections 301-10.122 and 301-10.123 of title 41 CFR.

Section 413 prohibits funds from being used for the approval of a new foreign air carrier permit or exemption application if that approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

Section 414 restricts the number of employees that agencies may send to international conferences unless such attendance is important to the national interest.

Section 415 caps the amount of fees the Surface Transportation Board can charge or collect for rate or practice complaints filed at the amount authorized for district court civil suit filing fees.

Section 416 prohibits the use of funds to purchase or lease new light-duty vehicles for any executive fleet or fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

Section 417 prohibits funds from being used to maintain or establish computer networks unless such networks block the viewing, downloading, or exchange of pornography.

Section 418 prohibits funds from being used to deny an Inspector General timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities, or to prevent or impede that Inspector General's access to such records, documents, or other materials.

AMERICAN OVERSIGHT

MULTI-HHS-18-0600-A and 18-604-A-002143

Section 419 prohibits funds to be used to pay award or incentive fees for contractors whose performance is below satisfactory, behind schedule, over budget, or failed to meet requirements of the contract, with exceptions.

Section 420 provides a modification cost for credit risk premium repayment for a certain cohort of RRIF loans.

Section 421 modifies title 23 to amend federal truck weight exemptions in the State of Kentucky.

Section 422 modifies title 23 to amend federal truck weight exemptions for commercial motor vehicles powered either by natural gas or electric battery.

Section 423 exempts truck length restrictions for the transportation of sugar beets on specific routes in the State of Oregon.

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	112,813	113,842	113,910	+1,097	+68
Immediate Office of the Secretary	(3,001)	---	(3,065)	(+64)	(+3,065)
Immediate Office of the Deputy Secretary	(1,040)	---	(1,000)	(-40)	(+1,000)
Office of the General Counsel	(20,555)	---	(20,428)	(-127)	(+20,428)
Office of the Under Secretary of Transportation for Policy	(10,331)	---	(10,331)	---	(+10,331)
Office of the Assistant Secretary for Budget and Programs	(14,019)	---	(14,300)	(+281)	(+14,300)
Office of the Assistant Secretary for Governmental Affairs	(2,546)	---	(2,546)	---	(+2,546)
Office of the Assistant Secretary for Administration	(29,356)	---	(29,244)	(-112)	(+29,244)
Office of Public Affairs	(2,142)	---	(2,142)	---	(+2,142)
Office of the Executive Secretariat	(1,760)	---	(1,859)	(+99)	(+1,859)
Office of Intelligence, Security, and Emergency Response	(11,318)	---	(12,181)	(+863)	(+12,181)
Office of the Chief Information Officer	(16,745)	---	(16,814)	(+69)	(+16,814)
Research and Technology	23,465	6,971	8,471	-14,994	+1,500
National Infrastructure Investments	1,500,000	---	900,000	-600,000	+900,000
Federal-Aid Highways:					
Reduction for TIFIA (Limitation on obligations)	---	---	---	---	---

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Surface Transportation and Innovative Finance Bureau	3,000	2,987	5,000	+2,000	+2,013
Financial Management Capital	6,000	2,000	2,000	-4,000	---
Cyber Security Initiatives	15,000	10,000	15,000	---	+5,000
Office of Civil Rights	9,500	9,470	9,470	-30	---
Transportation Planning, Research, and Development	14,000	7,879	7,879	-6,121	---
Working Capital Fund	(202,245)	(203,883)	(319,793)	(+117,548)	(+115,910)
Minority Business Resource Center Program	500	249	500	---	+251
Small and Disadvantaged Business Utilizaton and Outreach	4,646	3,488	3,488	-1,158	---
Payments to Air Carriers (Airport & Airway Trust Fund)	155,000	93,000	175,000	+20,000	+82,000
Administrative Provisions					
Working Capital Fund (Sec. 104) (reappropriation)	---	12,000	---	---	-12,000
Total, Office of the Secretary	1,843,924	261,886	1,240,718	-603,206	+978,832
Federal Aviation Administration					
Operations	10,211,754	9,931,312	10,410,758	+199,004	+479,446
Air traffic organization	(7,692,786)	(7,495,690)	(7,841,720)	(+148,934)	(+346,030)
Aviation safety	(1,310,000)	(1,276,255)	(1,336,969)	(+26,969)	(+60,714)
Commercial space transportation	(22,587)	(21,578)	(24,949)	(+2,362)	(+3,371)
Finance and management	(801,506)	(771,010)	(816,398)	(+14,892)	(+45,388)
NextGen	(60,000)	(58,536)	(61,258)	(+1,258)	(+2,722)
Security and Hazardous Materials Safety	(112,622)	(105,558)	(114,165)	(+1,543)	(+8,607)
Staff offices	(212,253)	(202,685)	(215,299)	(+3,046)	(+12,614)

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Facilities and Equipment (Airport & Airway Trust Fund)	3,250,000	2,766,572	3,000,000	-250,000	+233,428
Research, Engineering, and Development (Airport & Airway Trust Fund	188,926	74,406	191,100	+2,174	+116,694
Grants-in-Aid for Airports (Airport and Airway Trust Fund)(Liquidation of contract authorization)	(3,000,000)	(3,000,000)	(3,000,000)	---	---
(Limitation on obligations)	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Administration	(111,863)	(112,600)	(112,600)	(+737)	---
Airport cooperative research program	(15,000)	(15,000)	(15,000)	---	---
Airport technology research	(33,210)	(33,194)	(33,210)	---	(+16)
Small community air service development program	(10,000)	---	(10,000)	---	(+10,000)
Airport Discretionary Grants (General Fund)	1,000,000	---	500,000	-500,000	+500,000
Total, Federal Aviation Administration	14,650,680	12,772,290	14,101,858	-548,822	+1,329,568
Limitations on obligations	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Total budgetary resources	(18,000,680)	(16,122,290)	(17,451,858)	(-548,822)	(+1,329,568)
Federal Highway Administration					
Limitation on Administrative Expenses	(442,692)	(449,692)	(449,692)	(+7,000)	---
Federal-Aid Highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(44,973,212)	(46,007,596)	(46,007,596)	(+1,034,384)	---
(Limitation on obligations)	(44,234,212)	(45,268,596)	(45,268,596)	(+1,034,384)	---
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Highway Infrastructure Programs (General Fund).....	2,525,000	---	3,250,000	+725,000	+3,250,000
Administrative Provisions					
Rescission of budget authority (Sec. 126).....	---	-216,951	---	---	+216,951
Total, Federal Highway Administration.....	2,525,000	-216,951	3,250,000	+725,000	+3,466,951
Limitations on obligations.....	(44,234,212)	(45,268,596)	(45,268,596)	(+1,034,384)	---
Exempt contract authority.....	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources.....	(47,498,212)	(45,790,645)	(49,257,596)	(+1,759,384)	(+3,466,951)
Federal Motor Carrier Safety Administration					
Motor Carrier Safety Operations and Programs (Highway Trust Fund)(Liquidation of contract authorization)..	(283,000)	(284,000)	(284,000)	(+1,000)	---
(Limitation on obligations).....	(283,000)	(284,000)	(284,000)	(+1,000)	---
Motor Carrier Safety Grants (Highway Trust Fund) (Liquidation of contract authorization).....	(561,800)	(381,800)	(382,800)	(-179,000)	(+1,000)
(Limitation on obligations).....	(561,800)	(381,800)	(382,800)	(-179,000)	(+1,000)
Total, Federal Motor Carrier Safety Administration.....	---	---	---	---	---
Limitations on obligations.....	(844,800)	(665,800)	(666,800)	(-178,000)	(+1,000)
Total budgetary resources.....	(844,800)	(665,800)	(666,800)	(-178,000)	(+1,000)

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
National Highway Traffic Safety Administration					
Operations and Research (general fund)	189,075	152,427	190,000	+925	+37,573
Operations and Research (Highway Trust Fund)					
(Liquidation of contract authorization)	(149,000)	(152,100)	(152,100)	(+3,100)	---
(Limitation on obligations)	(149,000)	(152,100)	(152,100)	(+3,100)	---
Subtotal, Operations and Research	338,075	304,527	342,100	+4,025	+37,573
Highway Traffic Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(597,629)	(610,208)	(610,208)	(+12,579)	---
(Limitation on obligations)	(597,629)	(610,208)	(610,208)	(+12,579)	---
Highway safety programs (23 USC 402)	(261,200)	(270,400)	(270,400)	(+9,200)	---
National priority safety programs (23 USC 405)	(280,200)	(283,000)	(283,000)	(+2,800)	---
High visibility enforcement	(29,900)	(30,200)	(30,200)	(+300)	---
Administrative expenses	(26,329)	(26,608)	(26,608)	(+279)	---
Administrative Provision					
Impaired Driving/Rail-Grade funding (Sec. 143)					
(General Fund)	11,500	---	14,000	+2,500	+14,000
Total, National Highway Traffic Safety Administration	200,575	152,427	204,000	+3,425	+51,573
Limitations on obligations	(746,629)	(762,308)	(762,308)	(+15,679)	---
Total budgetary resources	(947,204)	(914,735)	(966,308)	(+19,104)	(+51,573)

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Railroad Administration					
Safety and Operations	221,698	202,304	221,698	---	+19,394
Railroad Research and Development	40,600	19,550	40,600	---	+21,050
Subtotal	262,298	221,854	262,298	---	+40,444
Railroad Rehabilitation and Improvement Financing Program	25,000	---	---	-25,000	---
Federal State Partnership for State of Good Repair	250,000	---	400,000	+150,000	+400,000
Consolidated Rail Infrastructure and Safety Improvements	592,547	---	255,000	-337,547	+255,000
Restoration and Enhancement Grants	20,000	---	5,000	-15,000	+5,000
Magnetic Levitation Program	---	---	10,000	+10,000	+10,000
Subtotal	862,547	---	670,000	-192,547	+670,000
National Railroad Passenger Corporation:					
Northeast Corridor Grants	650,000	200,000	650,000	---	+450,000
National Network	1,291,600	537,897	1,291,600	---	+753,703
Subtotal	1,941,600	737,897	1,941,600	---	+1,203,703

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Administrative Provisions					
Transportation Technology Center financing (Sec. 151).	---	100,000	---	---	-100,000
Rail unobligated balances (rescission) (Sec. 153).....	---	-55,726	---	---	+55,726
Total, Federal Railroad Administration.....	3,091,445	1,004,025	2,873,898	-217,547	+1,869,873
Federal Transit Administration					
Administrative Expenses.....	113,165	111,742	113,165	---	+1,423
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization).....	(10,300,000)	(9,900,000)	(9,900,000)	(-400,000)	---
(Limitation on obligations).....	(9,733,353)	(9,939,380)	(9,939,380)	(+206,027)	---
Transit Infrastructure Grants.....	834,000	---	700,000	-134,000	+700,000
Technical Assistance and Training.....	5,000	---	5,000	---	+5,000
Capital Investment Grants.....	2,644,960	1,000,000	2,552,687	-92,273	+1,552,687
Washington Metropolitan Area Transit Authority Capital and Preventive Maintenance.....	150,000	120,000	150,000	---	+30,000
Transit Research (rescission) (Sec. 163).....	---	-6,000	---	---	+6,000
Transit Formula Grants (rescission) (Sec. 164).....	---	-46,560	-46,560	-46,560	---
Total, Federal Transit Administration.....	3,747,125	1,179,182	3,474,292	-272,833	+2,295,110
Limitations on obligations.....	(9,733,353)	(9,939,380)	(9,939,380)	(+206,027)	---
Total budgetary resources.....	(13,480,478)	(11,118,562)	(13,413,672)	(-66,806)	(+2,295,110)

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Saint Lawrence Seaway Development Corporation					
Operations and Maintenance (Harbor Maintenance Trust Fund)	40,000	28,837	36,000	-4,000	+7,163
Maritime Administration					
Maritime Security Program	300,000	214,000	300,000	---	+86,000
Operations and Training	513,642	452,428	149,442	-364,200	-302,986
State Maritime Academy Operations	---	---	345,200	+345,200	+345,200
Assistance to Small Shipyards	20,000	---	20,000	---	+20,000
Ship Disposal	116,000	30,000	5,000	-111,000	-25,000
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses and guarantees	30,000	---	3,000	-27,000	+3,000
Port Infrastructure Program	---	---	292,730	+292,730	+292,730
Total, Maritime Administration	979,642	696,428	1,115,372	+135,730	+418,944
Pipeline and Hazardous Materials Safety Administration					
Operational Expenses:					
General Fund	23,000	23,710	23,710	+710	---
Hazardous Materials Safety:					
General Fund	59,000	52,070	58,000	-1,000	+5,930

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Pipeline Safety:					
Pipeline Safety Fund	131,000	119,200	134,000	+3,000	+14,800
Oil Spill Liability Trust Fund	23,000	23,000	23,000	---	---
Underground Natural Gas Storage Facility Safety Fund	8,000	8,000	8,000	---	---
Subtotal	162,000	150,200	165,000	+3,000	+14,800
Emergency Preparedness Grants:					
Limitation on emergency preparedness fund	(28,318)	(28,318)	(28,318)	---	---
Total, Pipeline and Hazardous Materials Safety Administration	244,000	225,980	246,710	+2,710	+20,730
Limitations on obligations	(28,318)	(28,318)	(28,318)	---	---
Total budgetary resources	(272,318)	(254,298)	(275,028)	(+2,710)	(+20,730)
Pipeline safety user fees	-131,000	-119,200	-134,000	-3,000	-14,800
Underground Natural Gas Storage Facility Safety Fund user fee	-8,000	-8,000	-8,000	---	---
Office of Inspector General					
Salaries and Expenses	92,152	91,500	92,600	+448	+1,100

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
General Provisions - Department of Transportation					
Extending the availability of certain payments (Sec. 186(1))	---	2,000	---	---	-2,000
Total, title I, Department of Transportation	27,275,543	16,070,404	26,493,448	-782,095	+10,423,044
Appropriations	(27,275,543)	(16,395,641)	(26,540,008)	(-735,535)	(+10,144,367)
Rescissions	---	(-325,237)	(-46,560)	(-46,560)	(+278,677)
Limitations on obligations	(58,908,994)	(59,986,084)	(59,987,084)	(+1,078,090)	(+1,000)
Total budgetary resources	(86,184,537)	(76,056,488)	(86,480,532)	(+295,995)	(+10,424,044)
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive Offices	14,708	15,583	14,900	+192	-683
Administration Support Offices	518,303	507,372	541,500	+23,197	+34,128
Program Office Salaries and Expenses:					
Public and Indian Housing	216,633	209,473	219,800	+3,167	+10,327
Community Planning and Development	107,554	105,906	112,344	+4,790	+6,438
Housing	383,000	359,448	382,500	-500	+23,052
Policy Development and Research	24,065	25,366	26,000	+1,935	+634
Fair Housing and Equal Opportunity	69,808	71,312	72,900	+3,092	+1,588

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Office of Lead Hazard Control and Healthy Homes...	7,600	7,540	8,600	+1,000	+1,060
Subtotal.....	808,660	779,045	822,144	+13,484	+43,099
Total, Management and Administration.....	1,341,671	1,302,000	1,378,544	+36,873	+76,544
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals.....	19,600,000	18,748,749	20,313,000	+713,000	+1,564,251
Tenant protection vouchers.....	85,000	140,000	85,000	---	-55,000
Administrative fees.....	1,780,000	1,550,000	1,886,000	+126,000	+336,000
Sec. 811 vouchers, incremental and renewals.....	505,000	107,000	225,000	-280,000	+118,000
Incremental VASH vouchers.....	40,000	---	40,000	---	+40,000
Tribal veterans affairs supportive housing renewals.....	5,000	4,000	4,000	-1,000	---
Incremental family unification vouchers.....	20,000	---	20,000	---	+20,000
Mobility Demonstration.....	---	---	25,000	+25,000	+25,000
Subtotal (available this fiscal year).....	22,015,000	20,549,749	22,598,000	+583,000	+2,048,251
Advance appropriations.....	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances.....	-4,000,000	-4,000,000	-4,000,000	---	---
Total, Tenant-based Rental Assistance appropriated in this bill.....	22,015,000	20,549,749	22,598,000	+583,000	+2,048,251

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Rental Assistance Demonstration	---	100,000	---	---	-100,000
Public Housing Capital Fund	2,750,000	---	2,775,000	+25,000	+2,775,000
Public Housing Operating Fund	4,550,000	3,279,000	4,653,116	+103,116	+1,374,116
Choice Neighborhoods	150,000	---	150,000	---	+150,000
Family Self-Sufficiency	75,000	75,000	80,000	+5,000	+5,000
Native American Housing Block Grants	755,000	600,000	755,000	---	+155,000
Indian Housing Loan Guarantee Fund Program Account	1,000	---	1,440	+440	+1,440
(Limitation on guaranteed loans)	(270,270)	---	(553,846)	(+283,576)	(+553,846)
Native Hawaiian Housing Block Grant	2,000	---	2,000	---	+2,000
Native Hawaiian Loan Guarantee Fund Program Account (rescission)	---	-5,000	---	---	+5,000
Total, Public and Indian Housing	30,298,000	24,598,749	31,014,556	+716,556	+6,415,807
Community Planning and Development					
Housing Opportunities for Persons with AIDS	375,000	330,000	393,000	+18,000	+63,000
Community Development Fund:					
CDBG formula	3,300,000	---	3,300,000	---	+3,300,000
Indian CDBG	65,000	---	65,000	---	+65,000
Subtotal	3,365,000	---	3,365,000	---	+3,365,000
Community Development Loan Guarantees (Section 108):					
(Limitation on guaranteed loans)	(300,000)	---	(300,000)	---	(+300,000)
HOME Investment Partnerships Program	1,362,000	---	1,250,000	-112,000	+1,250,000

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Self-help and Assisted Homeownership Opportunity Program	54,000	---	54,000	---	+54,000
Homeless Assistance Grants	2,513,000	2,383,000	2,636,000	+123,000	+253,000
Total, Community Planning and Oevelopment	7,669,000	2,713,000	7,698,000	+29,000	+4,985,000
Housing Programs					
Project-based Rental Assistance:					
Renewals	11,230,000	10,902,000	11,502,000	+272,000	+600,000
Contract administrators	285,000	245,000	245,000	-40,000	---
Subtotal (available this fiscal year)	11,515,000	11,147,000	11,747,000	+232,000	+600,000
Advance appropriations	400,000	400,000	400,000	---	---
Less appropriations from prior year advances	-400,000	-400,000	-400,000	---	---
Total, Project-based Rental Assistance appropriated in this bill	11,515,000	11,147,000	11,747,000	+232,000	+600,000
Housing for the Elderly	678,000	601,000	678,000	---	+77,000
Housing for Persons with Disabilities	229,600	140,000	184,155	-45,445	+44,155
Housing Counseling Assistance	55,000	45,000	50,000	-5,000	+5,000
Rental Housing Assistance	14,000	5,000	5,000	-9,000	---
Manufactured Housing Fees Trust Fund	11,000	12,000	12,000	+1,000	---
Offsetting collections	-11,000	-12,000	-12,000	-1,000	---
Total, Housing Programs	12,491,600	11,938,000	12,664,155	+172,555	+726,155

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Federal Housing Administration					
Mutual Mortgage Insurance Program Account:					
(Limitation on guaranteed loans)	(400,000,000)	(400,000,000)	(400,000,000)	---	---
(Limitation on direct loans)	(5,000)	(1,000)	(1,000)	(-4,000)	---
Offsetting receipts	-7,392,000	-6,930,000	-6,930,000	+462,000	---
Proposed offsetting receipts (HECM)	-309,000	---	---	+309,000	---
Additional offsetting receipts (Sec. 222)	---	-20,000	---	---	+20,000
Administrative contract expenses	130,000	150,000	130,000	---	-20,000
General and Special Risk Program Account:					
(Limitation on guaranteed loans)	(30,000,000)	(30,000,000)	(30,000,000)	---	---
(Limitation on direct loans)	(5,000)	(1,000)	(1,000)	(-4,000)	---
Offsetting receipts	-619,000	-620,000	-620,000	-1,000	---
Total, Federal Housing Administration	-8,190,000	-7,420,000	-7,420,000	+770,000	---
Government National Mortgage Association					
Guarantees of Mortgage-backed Securities Loan Guarantee Program Account:					
(Limitation on guaranteed loans)	(500,000,000)	(550,000,000)	(550,000,000)	(+50,000,000)	---
Administrative expenses	27,000	24,400	27,000	---	+2,600
Offsetting receipts	-116,000	-104,000	-104,000	+12,000	---
Offsetting receipts	-1,560,000	-1,900,000	-1,900,000	-340,000	---

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Proposed offsetting receipts (HECM)	-59,000	---	---	+59,000	---
Additional contract expenses	1,000	---	1,000	---	+1,000
Total, Gov't National Mortgage Association	-1,707,000	-1,979,600	-1,976,000	-269,000	+3,600
Policy Development and Research					
Research and Technology	89,000	85,000	96,000	+7,000	+11,000
Fair Housing and Equal Opportunity					
Fair Housing Activities	65,300	62,300	65,300	---	+3,000
Office of Lead Hazard Control and Healthy Homes					
Lead Hazard Reduction	230,000	145,000	279,000	+49,000	+134,000
Information Technology Fund	267,000	260,000	280,000	+13,000	+20,000
Office of Inspector General	128,082	128,082	128,082	---	---

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
General Provisions--Department of Housing and Urban Development					
Choice Neighborhoods/Hope VI unobligated balances (Sec. 233) (rescission)	---	-138,000	---	---	+138,000
Unobligated balances (Sec. 234) (rescission)	---	---	-99	-99	-99
Total, title II, Department of Housing and Urban Development	42,682,653	31,694,531	44,207,538	+1,524,885	+12,513,007
Appropriations	(48,348,653)	(37,023,531)	(49,373,637)	(+1,024,984)	(+12,350,106)
Advance appropriations	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts	(-10,055,000)	(-9,574,000)	(-9,554,000)	(+501,000)	(+20,000)
Offsetting collections	(-11,000)	(-12,000)	(-12,000)	(-1,000)	---
(Limitation on direct loans)	(10,000)	(2,000)	(2,000)	(-8,000)	---
(Limitation on guaranteed loans)	(930,570,270)	(980,000,000)	(980,853,846)	(+50,283,576)	(+853,846)
TITLE III - OTHER INDEPENDENT AGENCIES					
Access Board	8,190	8,400	8,400	+210	---
Federal Maritime Commission	27,490	27,490	27,490	---	---
National Railroad Passenger Corporation Office of Inspector General	23,274	23,274	23,274	---	---
National Transportation Safety Board	110,400	108,000	110,400	---	+2,400
Neighborhood Reinvestment Corporation	140,000	27,400	152,000	+12,000	+124,600

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Surface Transportation Board	37,100	37,100	37,100	---	---
Offsetting collections	-1,250	-1,250	-1,250	---	---
Subtotal	35,850	35,850	35,850	---	---
United States Interagency Council on Homelessness	3,600	630	3,600	---	+2,970
Total, title III, Other Independent Agencies	348,804	231,044	361,014	+12,210	+129,970
TITLE IV - GENERAL PROVISIONS - THIS ACT					
Unobligated balances (Sec. 417) (rescission)	-7,000	---	---	+7,000	---
Railroad Rehabilitation and Improvement Financing Subsidy Reimbursement (Sec. 420)	---	---	17,000	+17,000	+17,000
Total, title IV, General Provisions This Act	-7,000	---	17,000	+24,000	+17,000

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
OTHER APPROPRIATIONS					
FURTHER ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2018 (P.L. 115-123)					
DEPARTMENT OF TRANSPORTATION					
Federal Aviation Administration					
Operations (Airport and Airway Trust Fund) (emergency)	35,000	---	---	-35,000	---
Facilities and Equipment (Airport and Airway Trust Fund) (emergency)	79,589	---	---	-79,589	---
Total, Federal Aviation Administration	114,589	---	---	-114,589	---
Federal Highway Administration					
Federal-Aid Highways: Emergency Relief Program (emergency)	1,374,000	---	---	-1,374,000	---
Federal Transit Administration					
Public Transportation Emergency Relief Program (emergency)	330,000	---	---	-330,000	---

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN OEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Maritime Administration					
Operations and Training (emergency)	10,000	---	---	-10,000	---
Total, Department of Transportation	1,828,589	---	---	-1,828,589	---
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Community Planning and Development					
Community Development Fund (emergency)	28,000,000	---	---	-28,000,000	---
Total, Further Additional Supplemental Appropriations Act, 2018	29,828,589	---	---	-29,828,589	---

AMERICAN OVERSIGHT

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Grand total	100,128,589	47,995,979	71,079,000	-29,049,589	+23,083,021
Appropriations	(75,974,250)	(53,651,466)	(76,292,909)	(+318,659)	(+22,641,443)
Rescissions	(-7,000)	(-468,237)	(-46,659)	(-39,659)	(+421,578)
Emergency appropriations	(29,828,589)	---	---	(-29,828,589)	---
Advance appropriations	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts	(-10,055,000)	(-9,574,000)	(-9,554,000)	(+501,000)	(+20,000)
Offsetting collections	(-12,250)	(-13,250)	(-13,250)	(-1,000)	---
(Limitation on obligations)	(58,908,994)	(59,986,084)	(59,987,084)	(+1,078,090)	(+1,000)
Total budgetary resources	(159,037,583)	(107,982,063)	(131,066,084)	(-27,971,499)	(+23,084,021)

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Managers on the part of the
HOUSE

NITA LOWEY

LUCILLE ROYBAL-ALLARD

DAVID E. PRICE

BARBARA LEE

HENRY CUELLAR

PETE AGUILAR

KAY GRANGER

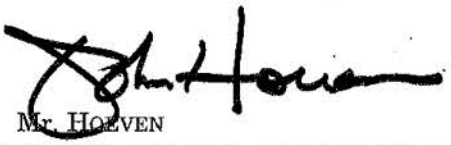
CHARLES FLEISCHMANN

TOM GRAVES

STEVEN M. PALAZZO

AMERICAN OVERSIGHT

H. J. Res. 31—Continued

Managers on the part of the HOUSE	*Managers on the part of the* SENATE
	Richard Shelby Mr. SHELBY
	Shelley Moore Capito Mrs. CAPITO
	 Mr. HOEVEN
	 Mr. BLU[illegible]
	Mr. LEAHY
	Mr. DURBIN
	Mr. TESTER

AMERICAN OVERSIGHT

H. J. Res. 31—Continued

Managers on the part of the HOUSE	*Managers on the part of the* SENATE
	Mr. SHELBY
	Mrs. CAPITO
	Mr. HOEVEN
	Mr. BLUNT
	Mr. LEAHY Patrick Leahy * except for border patrol agent and detention bed funding
	Mr. DURBIN Richard J. Durbin *
	Mr. TESTER Jon Tester

AMERICAN OVERSIGHT

From:	Shuy, Caitrin (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1F12CDE7B4764F1AAD8B20C0DCEAE0A7-SHUY, CAITR>
To:	Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>
Subject:	RE: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT
Date:	2019/05/22 09:08:58
Priority:	Normal
Type:	Note

Hi Jen –

(b)(5) the question as follows:
Please see our response in the attached. The comment is:

(b)(5)

(b)(5)

With this edit, is it OK to send along?

Caitrin McCarron Shuy
Deputy Assistant Secretary
Assistant Secretary for Financial Resources
Direct: 202-690-6883

From: Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>
Sent: Monday, May 20, 2019 5:02 PM
To: Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>
Subject: RE: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

Thanks. There is a comment where (b)(5)

(b)(5)

From: Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>
Sent: Monday, May 20, 2019 3:43 PM
To: Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>
Subject: FW: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

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FYI – the Senate Finance QFRs we just discussed. I assume it is OK (b)(5)

Caitrin McCarron Shuy
Deputy Assistant Secretary
Assistant Secretary for Financial Resources
Direct: 202-690-6883

From: Sealy, Camille (HHS/ASFR) <Camille.Sealy@hhs.gov>
Sent: Monday, May 20, 2019 3:42 PM
To: Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>
Subject: RE: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

Apologies for not responding in the affirmative. (b)(5)

From: Shuy, Caitrin (HHS/ASFR)
Sent: Monday, May 20, 2019 3:40 PM
To: Sealy, Camille (HHS/ASFR) <Camille.Sealy@hhs.gov>
Subject: FW: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

I hear you are working on these. Do you know where they are in the process?

Caitrin McCarron Shuy
Deputy Assistant Secretary
Assistant Secretary for Financial Resources
Direct: 202-690-6883

From: Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>
Sent: Monday, May 20, 2019 3:23 PM
To: O'Brien, John (HHS/IOS) <John.Obrien@hhs.gov>; McGuffee, Tyler Ann (HHS/IOS) <Tylerann.McGuffee@hhs.gov>; Parker, Jim (HHS/IOS) <Jim.Parker@hhs.gov>; Uehlecke, Nicholas (HHS/IOS) <Nicholas.Uehlecke@hhs.gov>; Steele, Danielle (HHS/IOS) <Danielle.Steele@hhs.gov>; Caliguiri, Laura (HHS/IOS) <Laura.Caliguiri@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>; Anger, Amanda (HHS/ASFR) <Amanda.Anger@hhs.gov>; Charrow, Robert (HHS/OGC) <Robert.Charrow@hhs.gov>; Stimson, Brian (HHS/OGC) <Brian.Stimson@hhs.gov>; Chang, William (HHS/OGC) <William.Chang@hhs.gov>; White, Caroline (HHS/OGC) <Caroline.White@hhs.gov>; Stannard, Paula (HHS/IOS) <Paula.Stannard@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>; Roskey, Colin (HHS/ASL) <Colin.Roskey@hhs.gov>; Pence, Laura (HHS/ASL) <Laura.Pence@hhs.gov>; Bradway, Courtney (HHS/ASL)

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<Courtney.Bradway@hhs.gov>; Harrison, Brian (HHS/IOS) <Brian.Harrison@hhs.gov>; Urbanowicz, Peter (HHS/IOS) <Peter.Urbanowicz@hhs.gov>; Oakley, Caitlin B. (OS/ASPA) <Caitlin.Oakley@HHS.GOV>; Murphy, Ryan (OS/ASPA) <Ryan.Murphy1@hhs.gov>; Brennan, Patrick (OS/ASPA) <Patrick.Brennan@hhs.gov>; Dareshori, Zack (HHS/IOS) <Zachary.Dareshori@hhs.gov>
Subject: RE: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

Good afternoon,
ASL has not yet received clearance for the Secretary's SFC QFRs from you/your division.
(b)(5)
Please respond at your earliest convenience to let me know when we can expect your reply.
Thank you very much,
Sara

<<File: FY2020 Senate Finance Committee Azar QFRs DRAFT.docx >>

From: Morse, Sara (HHS/ASL)
Sent: Wednesday, May 15, 2019 5:48 PM
To: O'Brien, John (HHS/ASPE) <John.Obrien@hhs.gov>; McGuffee, Tyler Ann (HHS/IOS) <Tylerann.McGuffee@hhs.gov>; Parker, Jim (HHS/IOS) <Jim.Parker@hhs.gov>; Uehlecke, Nicholas (HHS/IOS) <Nicholas.Uehlecke@hhs.gov>; Brett Giroir (HHS/OASH) (Brett.Giroir@hhs.gov) <Brett.Giroir@hhs.gov>; Harder, Kristina (HHS/IOS) <Kristina.Harder@hhs.gov>; Wynne, Maggie (HHS/IOS) <Margaret.Wynne@hhs.gov>; Steele, Danielle (HHS/IOS) <Danielle.Steele@hhs.gov>; Caliguiri, Laura (HHS/IOS) <Laura.Caliguiri@hhs.gov>; Brady, Will (HHS/IOS) <William.Brady@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>; Anger, Amanda (HHS/ASFR) <Amanda.Anger@hhs.gov>; Robert Charrow (HHS/OGC) (Robert.Charrow@hhs.gov) <Robert.Charrow@hhs.gov>; Stimson, Brian (HHS/OGC) <Brian.Stimson@hhs.gov>; Chang, William (HHS/OGC) <William.Chang@hhs.gov>; White, Caroline (HHS/OGC) <Caroline.White@hhs.gov>; Harrison, Brian (HHS/IOS) <Brian.Harrison@hhs.gov>; Urbanowicz, Peter (HHS/IOS) <Peter.Urbanowicz@hhs.gov>; Oakley, Caitlin B. (OS/ASPA) <Caitlin.Oakley@HHS.GOV>; Murphy, Ryan (OS/ASPA) <Ryan.Murphy1@hhs.gov>; Brennan, Patrick (OS/ASPA) <Patrick.Brennan@hhs.gov>; Stannard, Paula (HHS/IOS) <Paula.Stannard@hhs.gov>; Boehler, Adam (CMS/OA) <adam.boehler@cms.hhs.gov>; Fulmer, Brendan (HHS/IOS) <Brendan.Fulmer@hhs.gov>; Dareshori, Zack (HHS/IOS) <Zachary.Dareshori@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>; Roskey, Colin (HHS/ASL) <Colin.Roskey@hhs.gov>; Pence, Laura (HHS/ASL) <Laura.Pence@hhs.gov>; Bradway, Courtney (HHS/ASL) <Courtney.Bradway@hhs.gov>
Subject: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

Good afternoon,
Attached please find for your review the Secretary's Senate Finance Committee Budget hearing QFRs sorted by topic. Please review and provide edits no later than **10am on Monday (5/20).**
Please let me know if you have any questions, or would like any additional information.
Thank you very much,
Sara

AMERICAN OVERSIGHT

<<File: FY2020 Senate Finance Committee Azar QFRs DRAFT.docx >>
Confidential Pre-decisional Draft *

****

Sara Morse
Deputy Assistant Secretary for Legislation,
Congressional Liaison &Mandatory Health
U.S. Department of Health and Human Services
202-260-7005
(b)(6) (cell)
Sara.Morse@hhs.gov

Sender:	Shuy, Caitrin (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1F12CDE7B4764F1AAD8B20C0DCEAE0A7-SHUY, CAITR>
Recipient:	Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>
Sent Date:	2019/05/22 09:08:56
Delivered Date:	2019/05/22 09:08:58

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Response: (b)(5)
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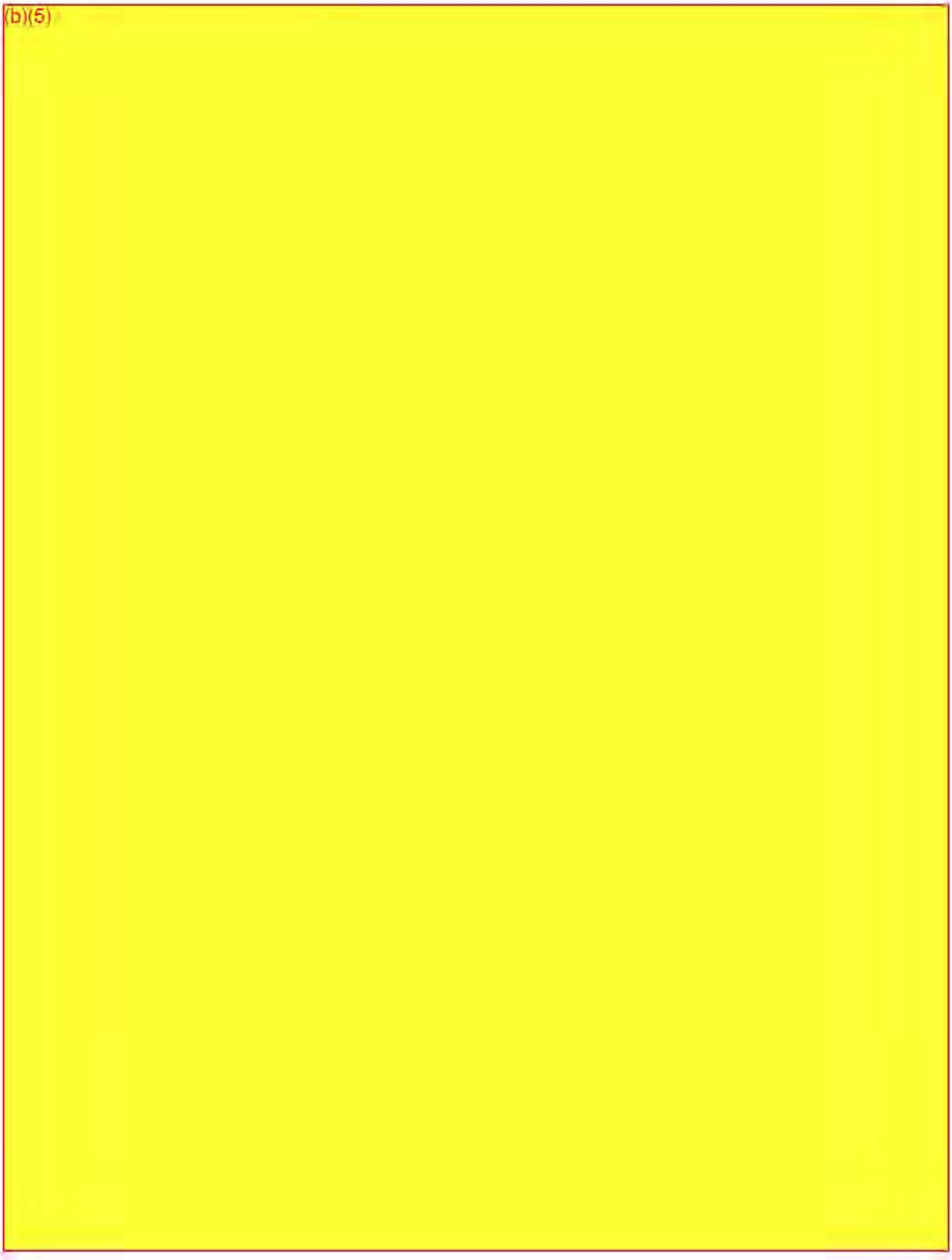
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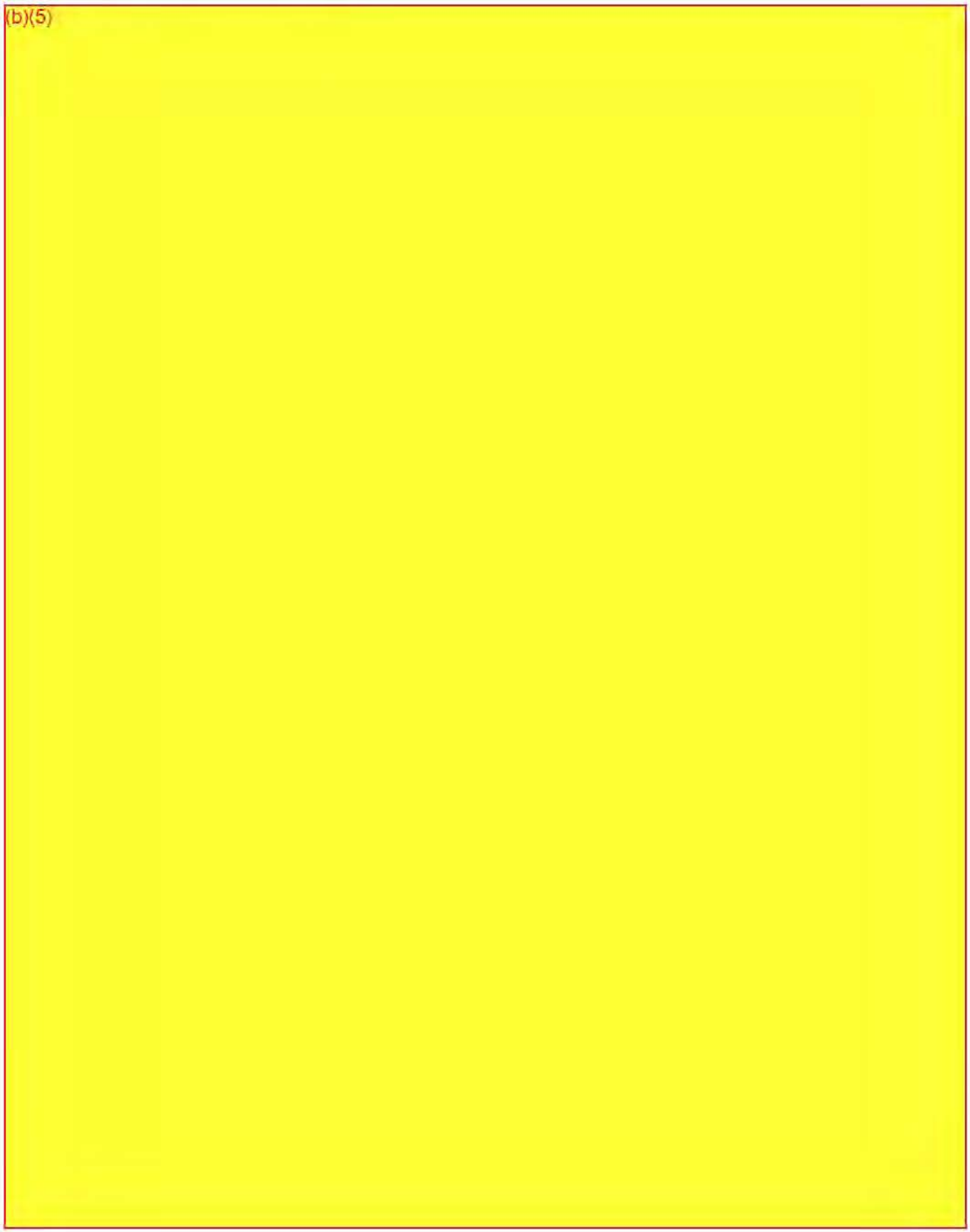
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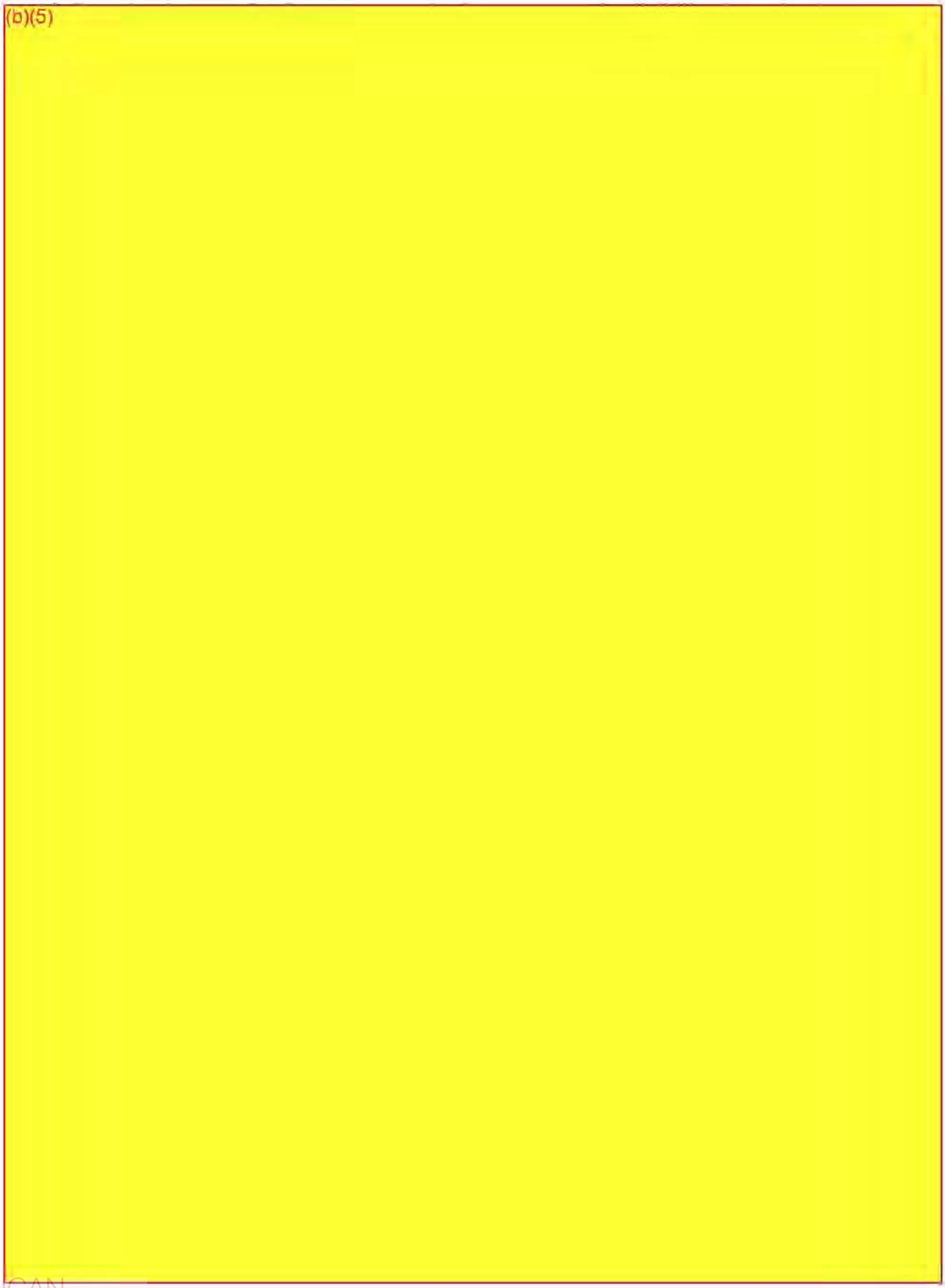
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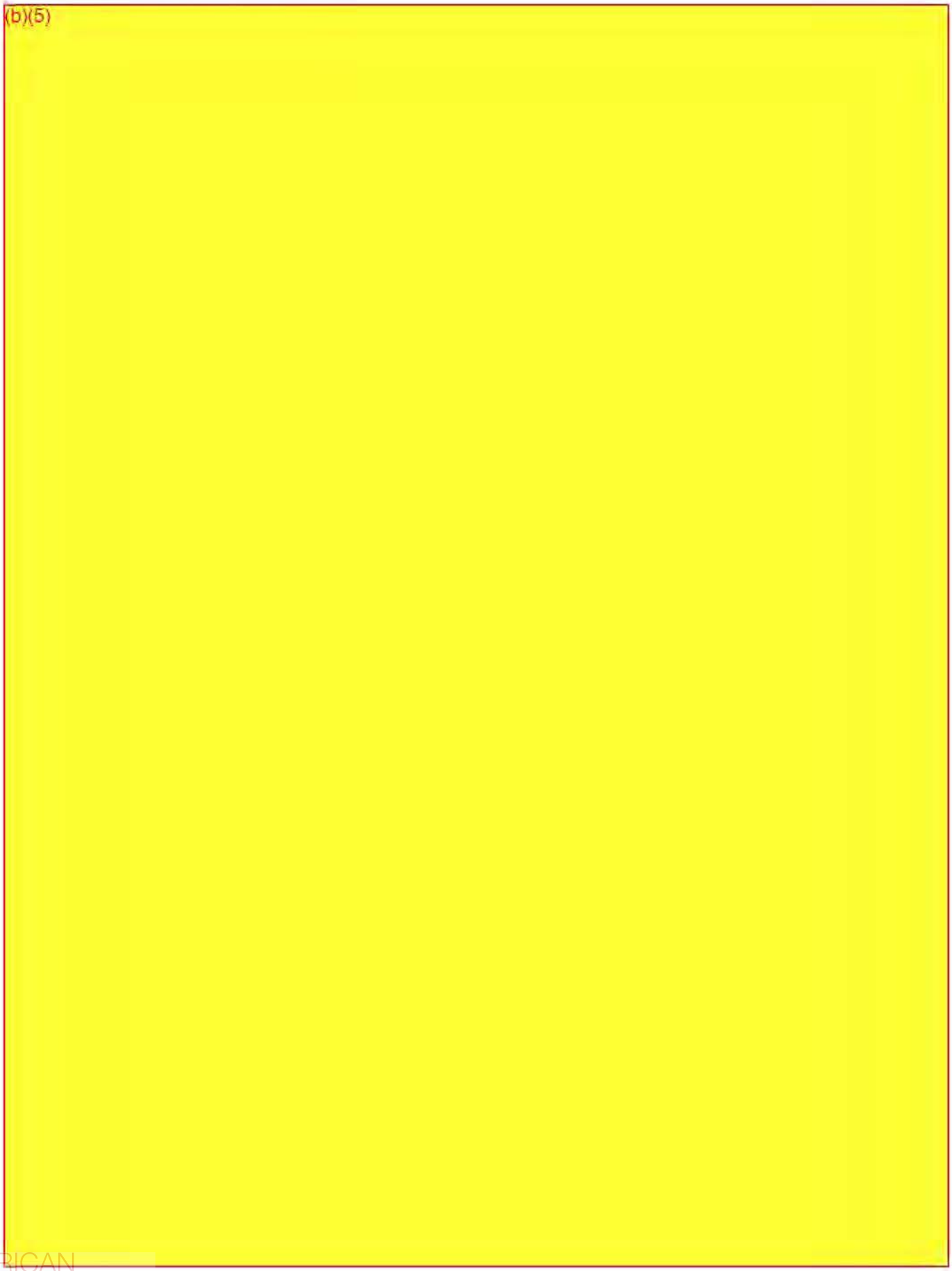
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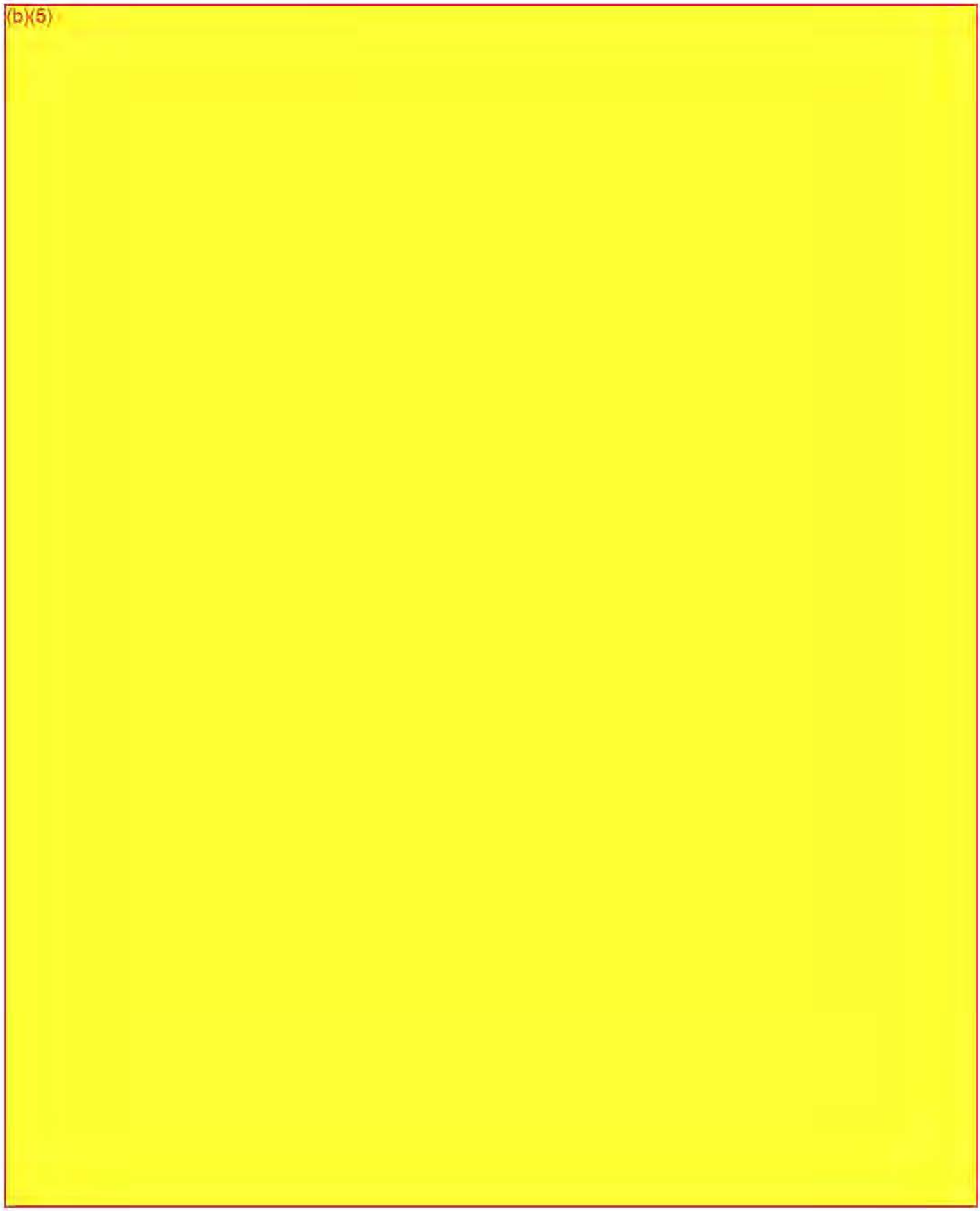


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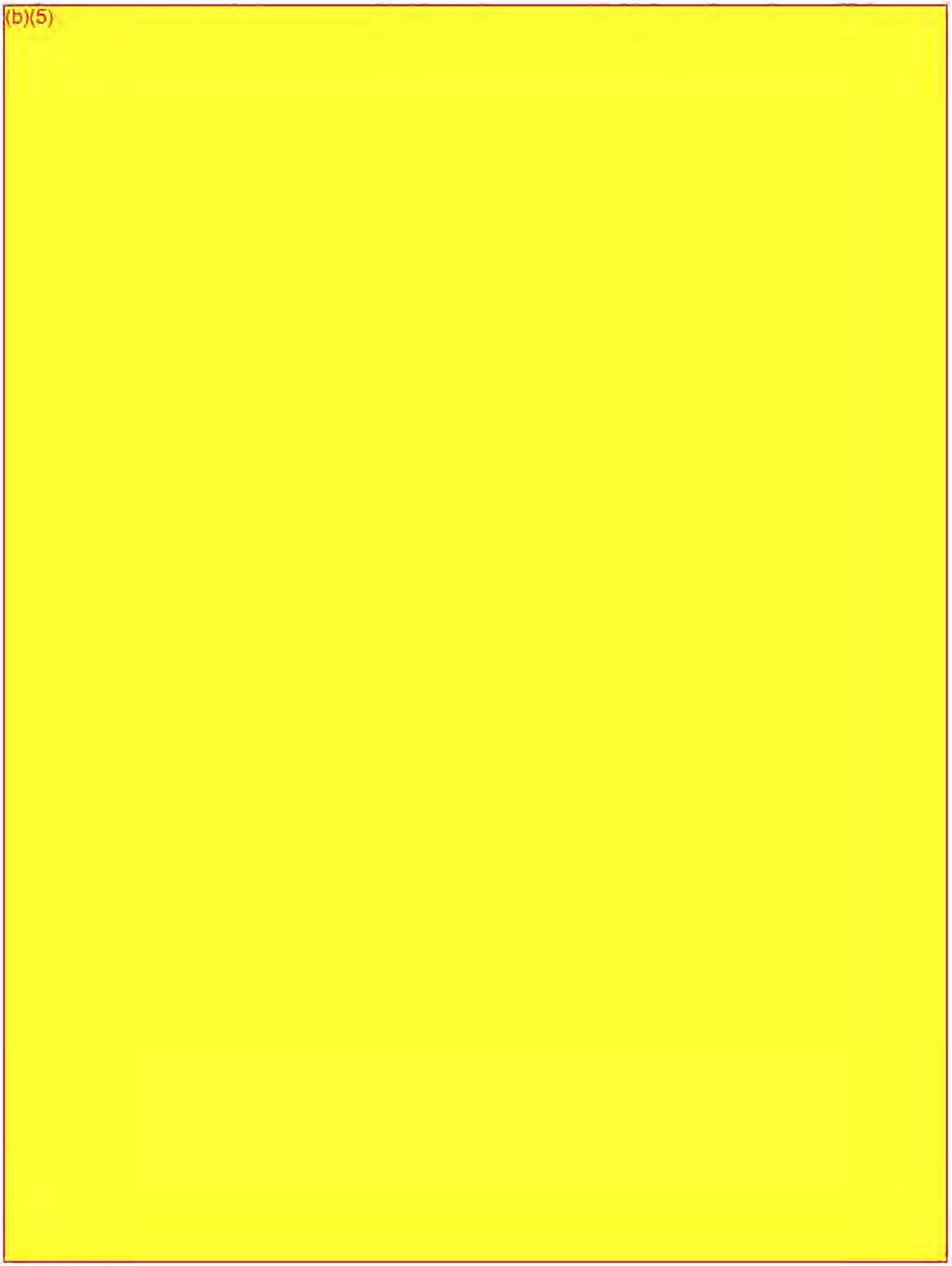
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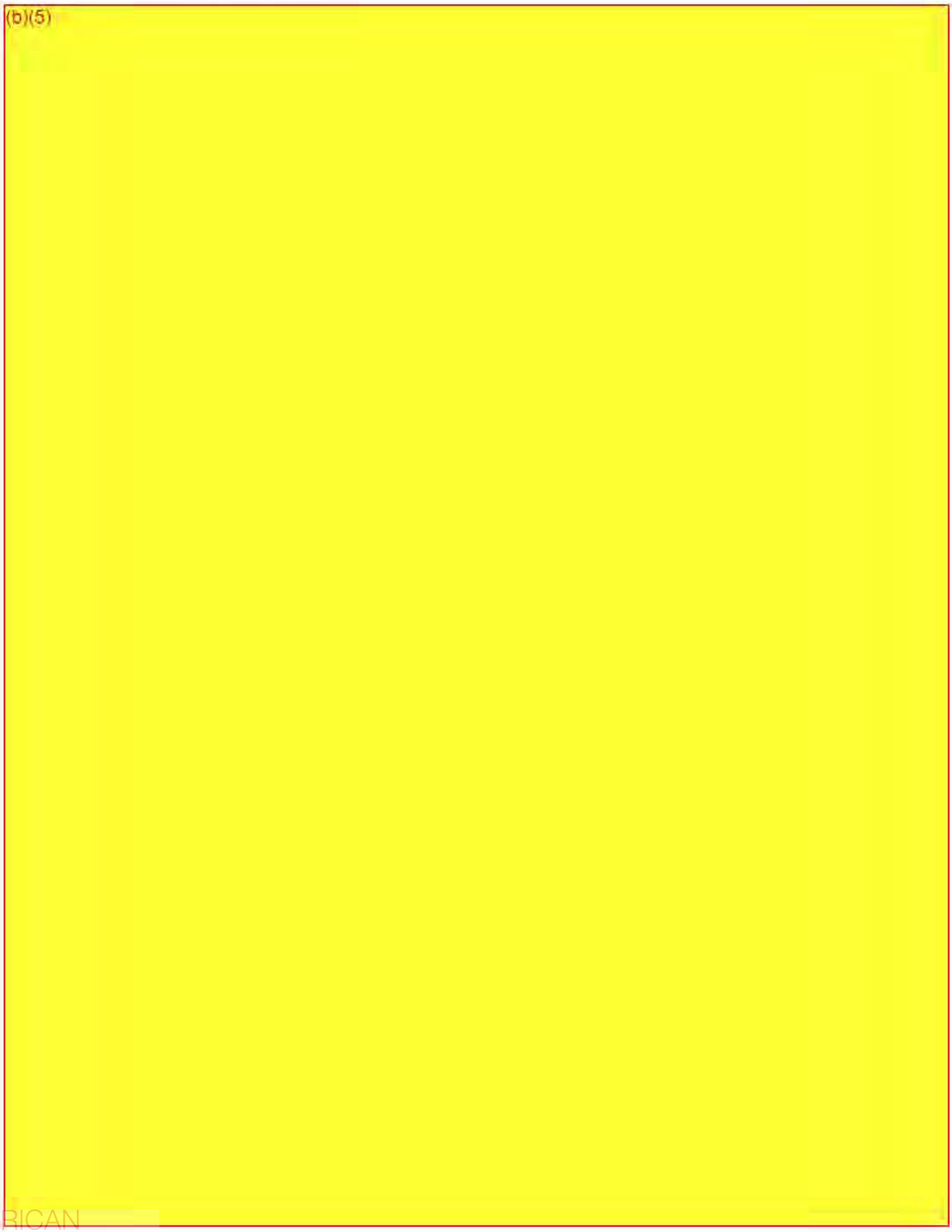


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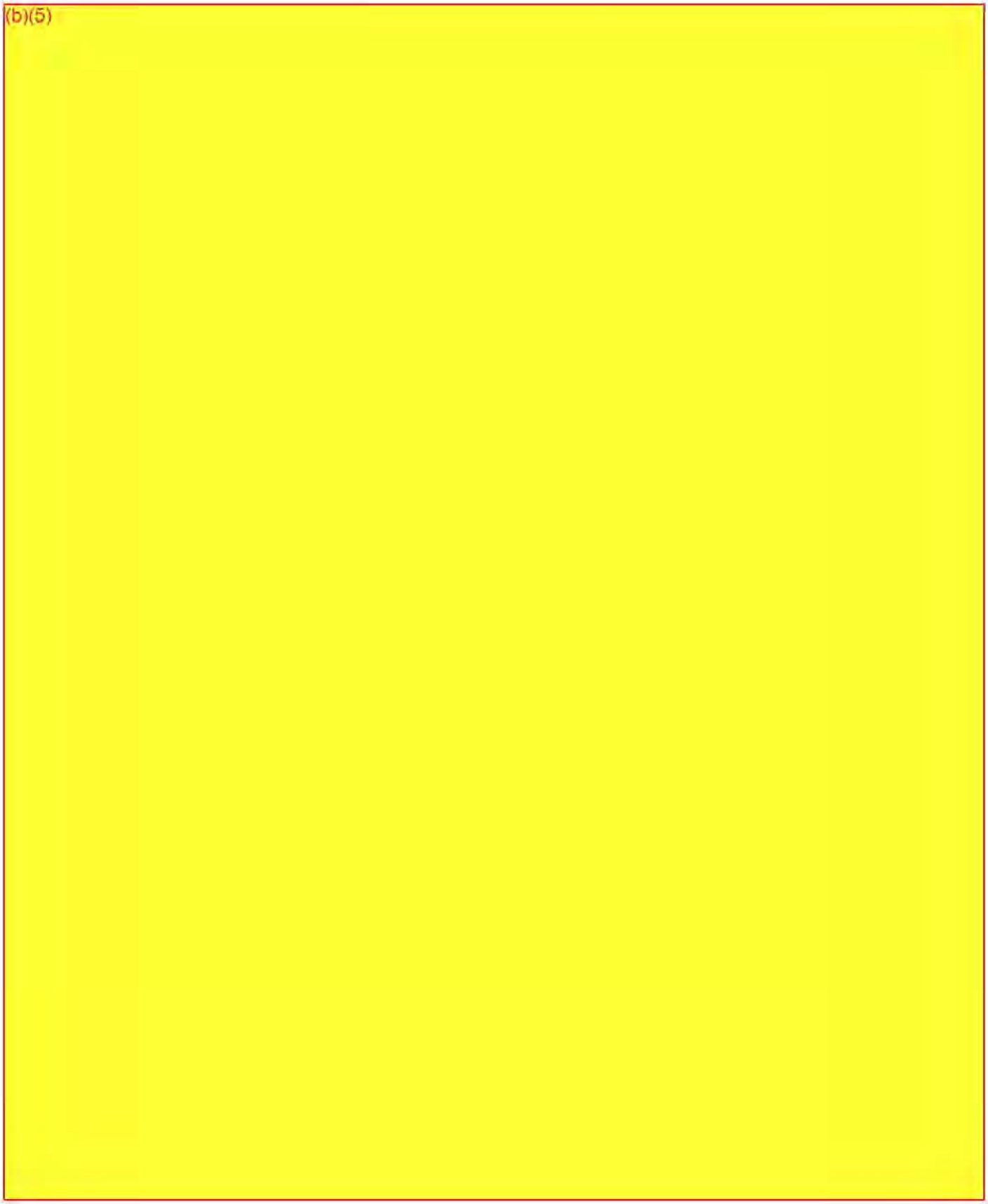
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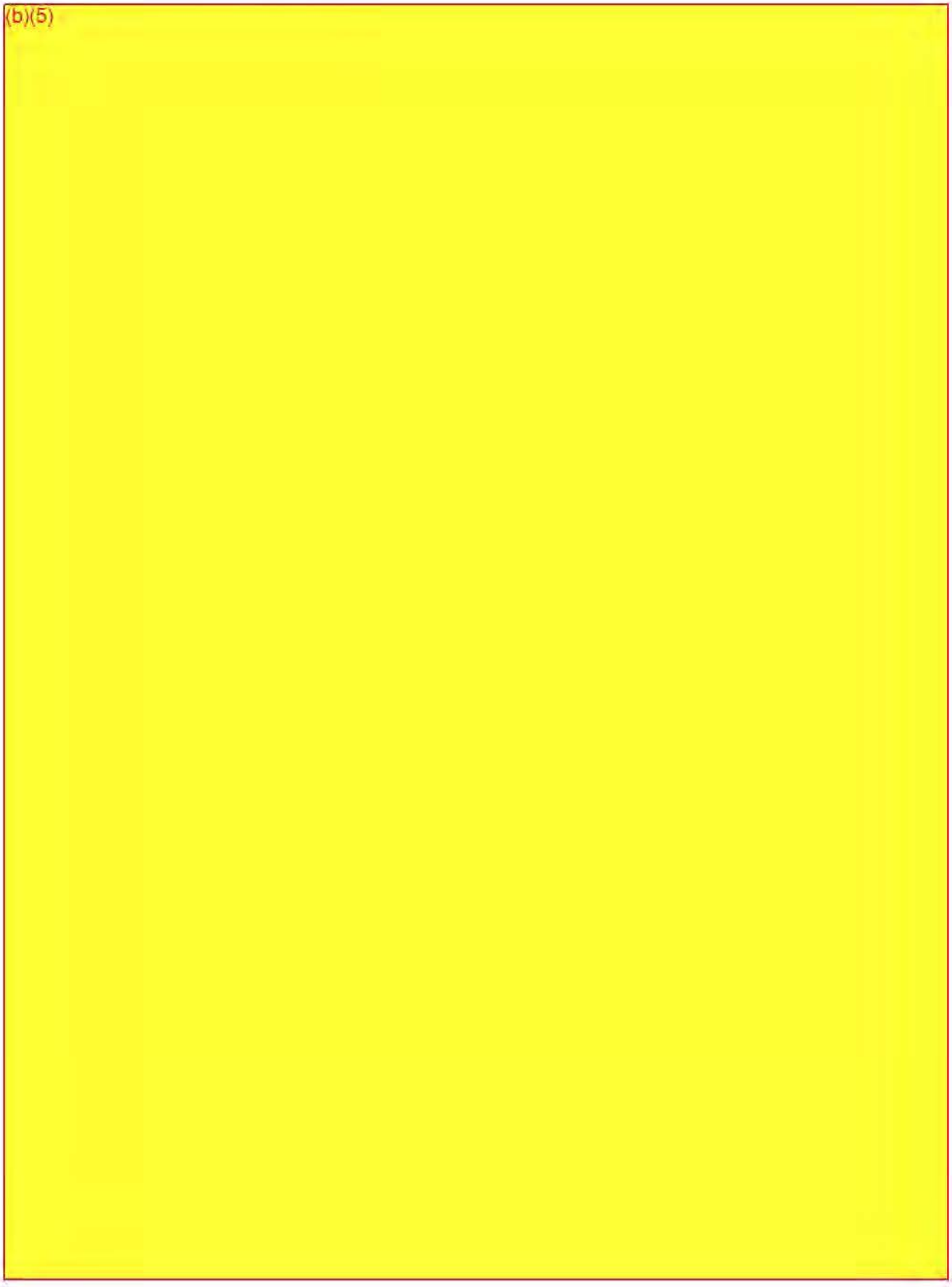
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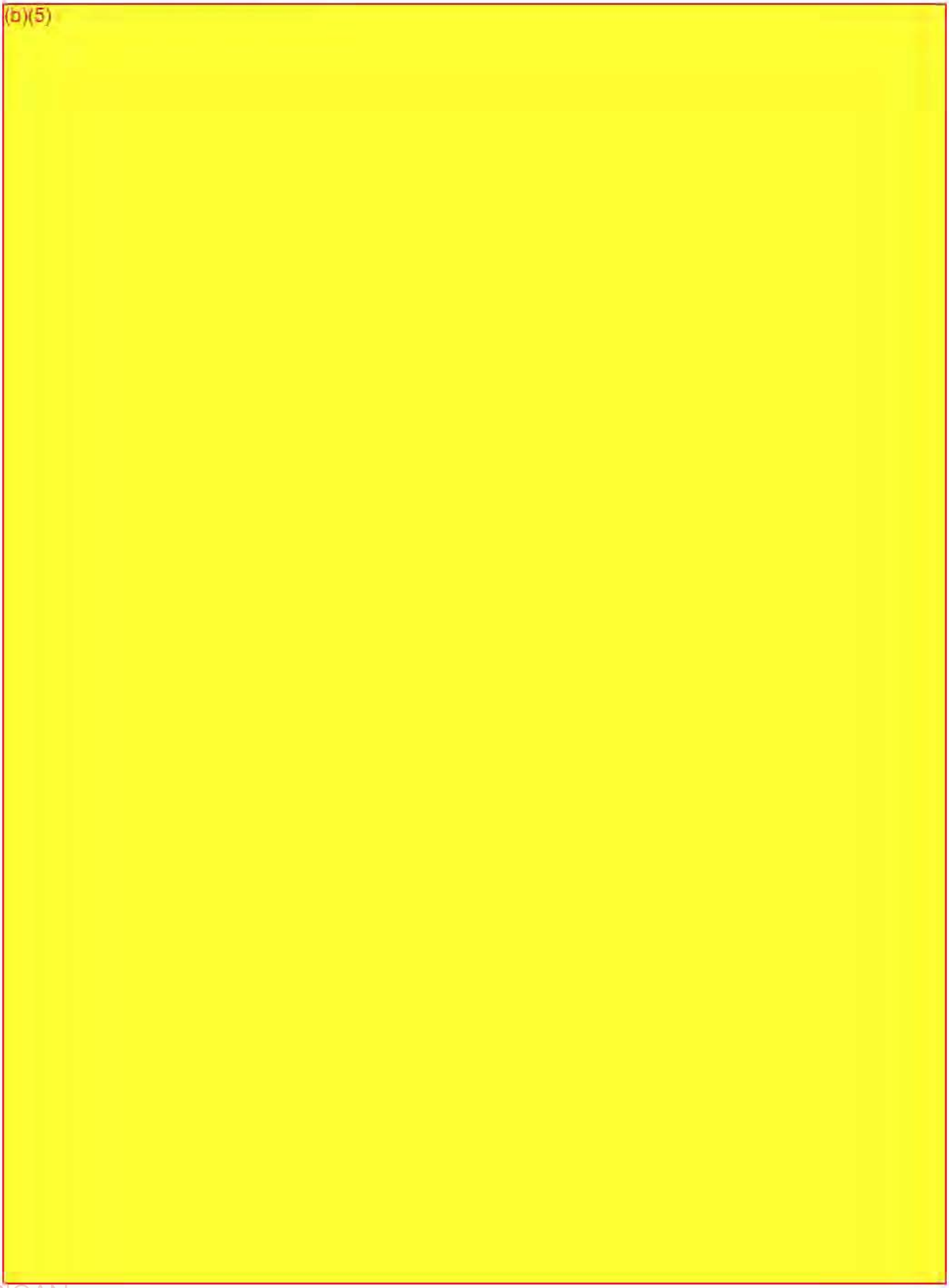


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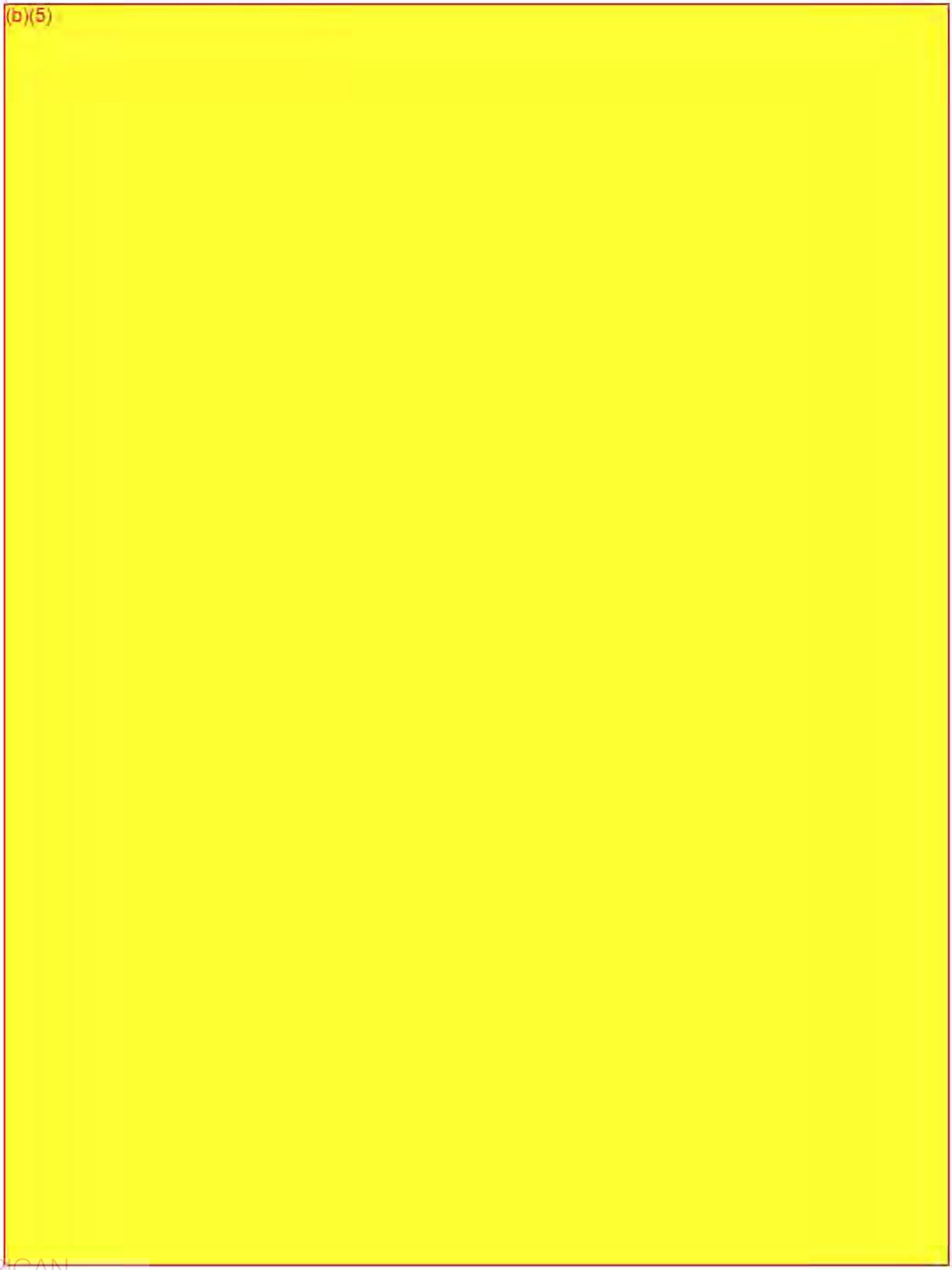
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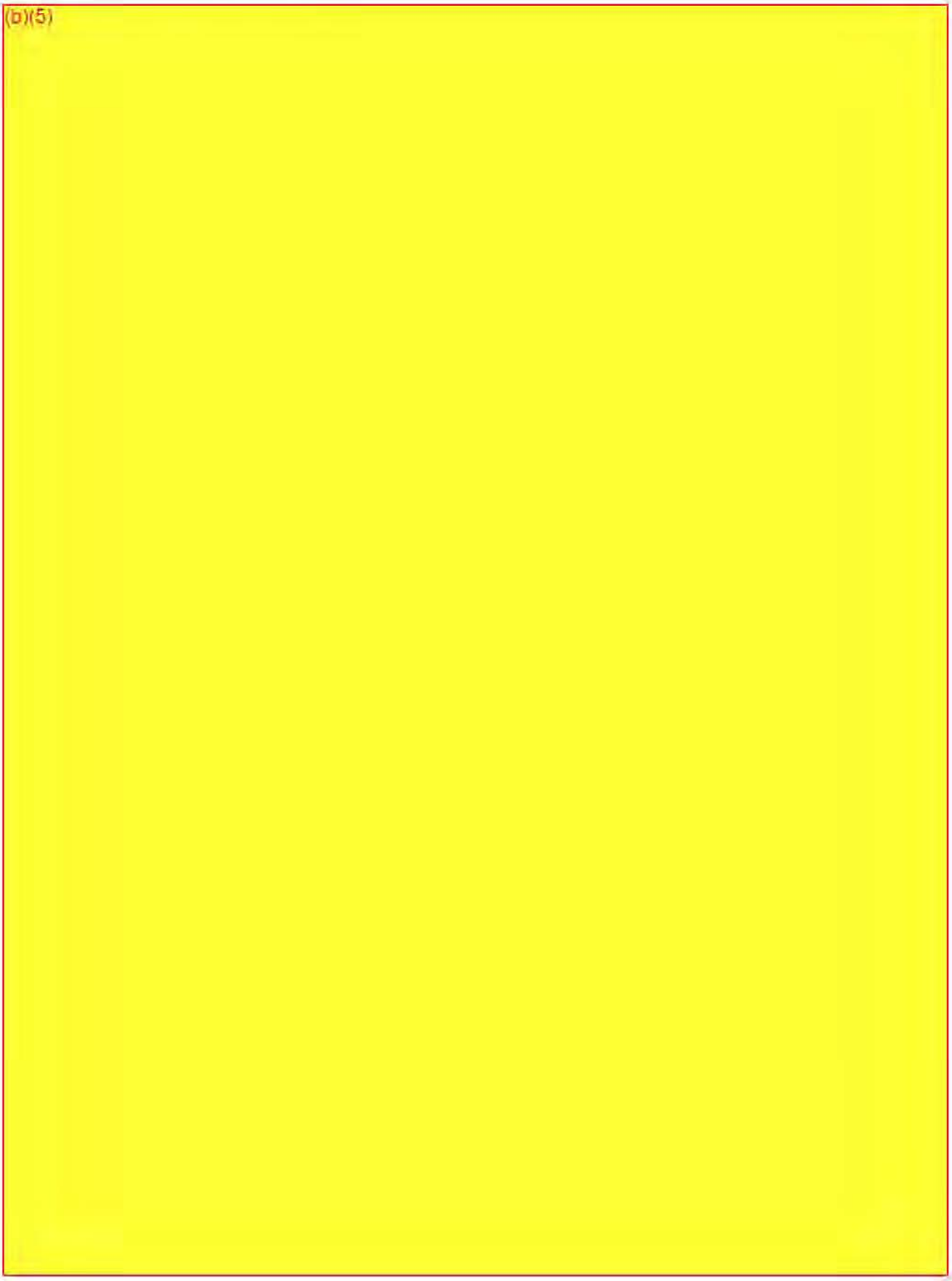
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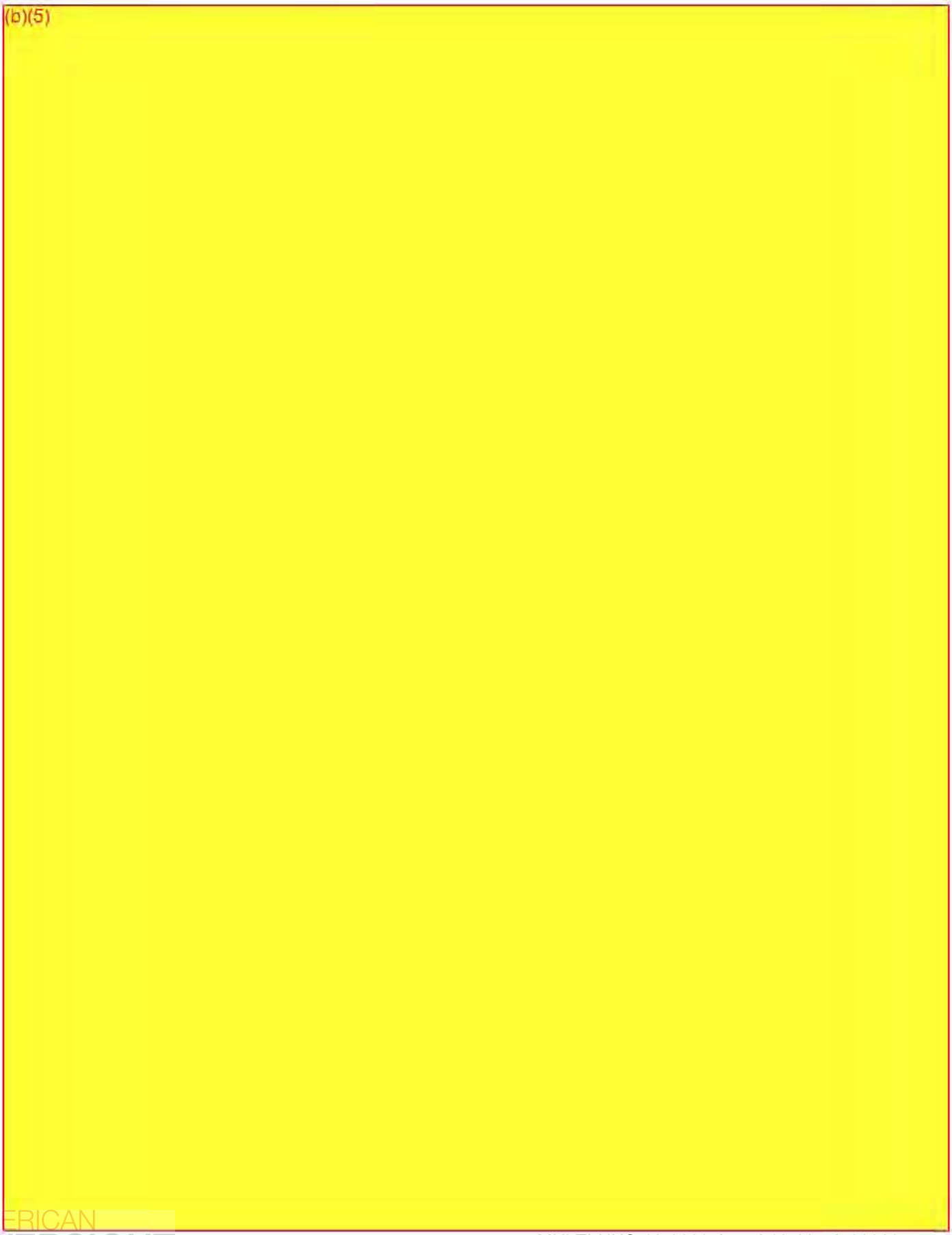
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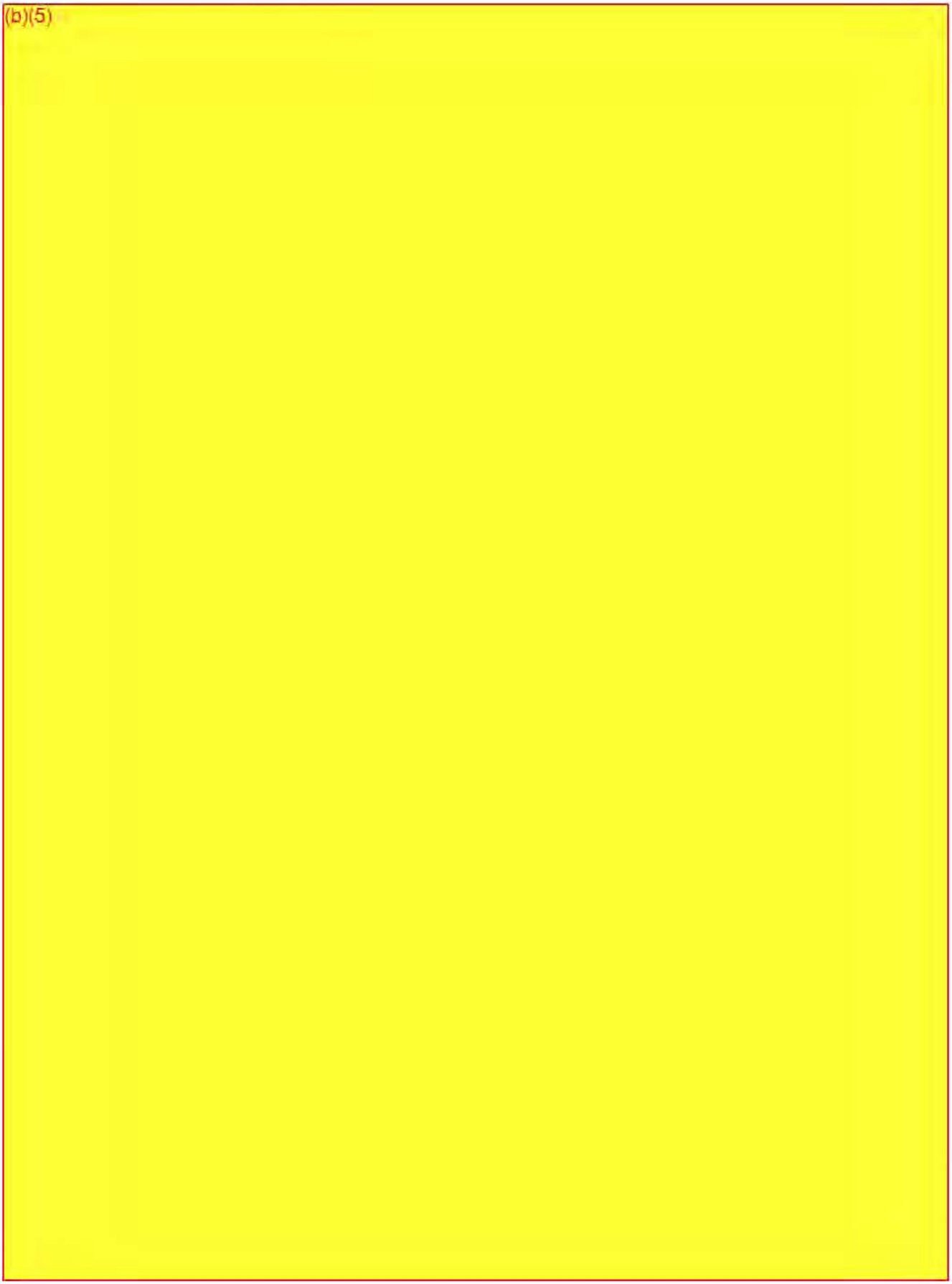
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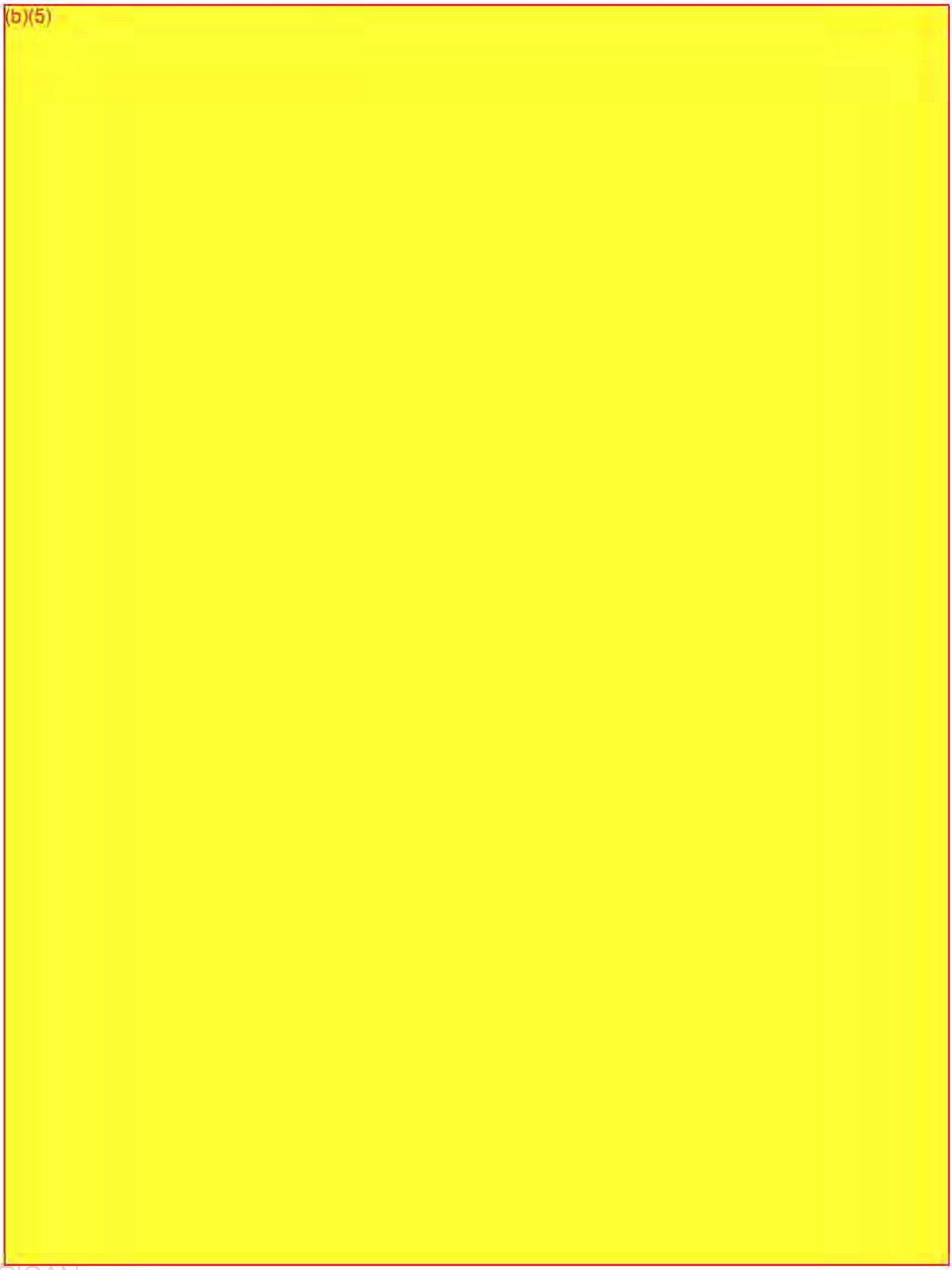
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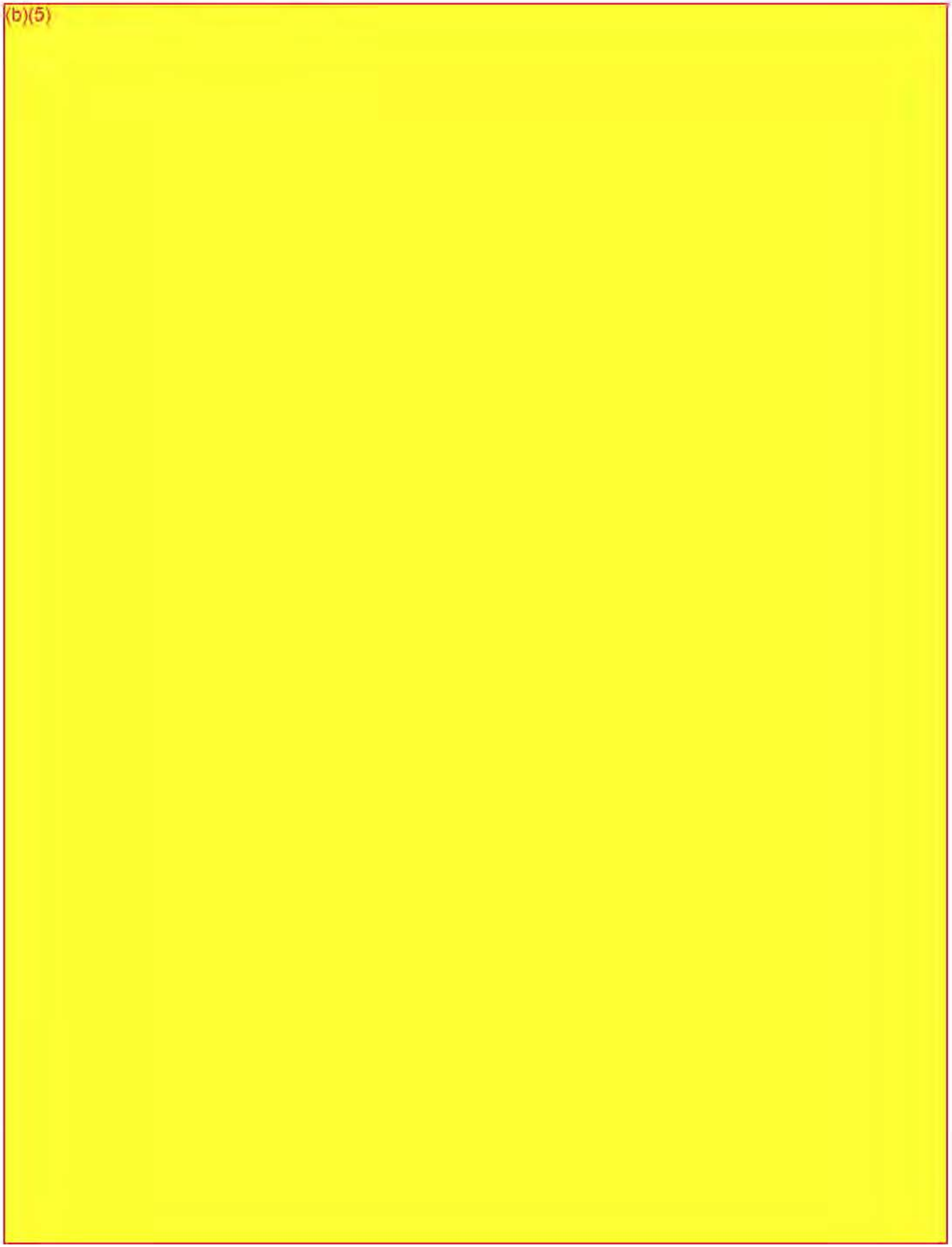
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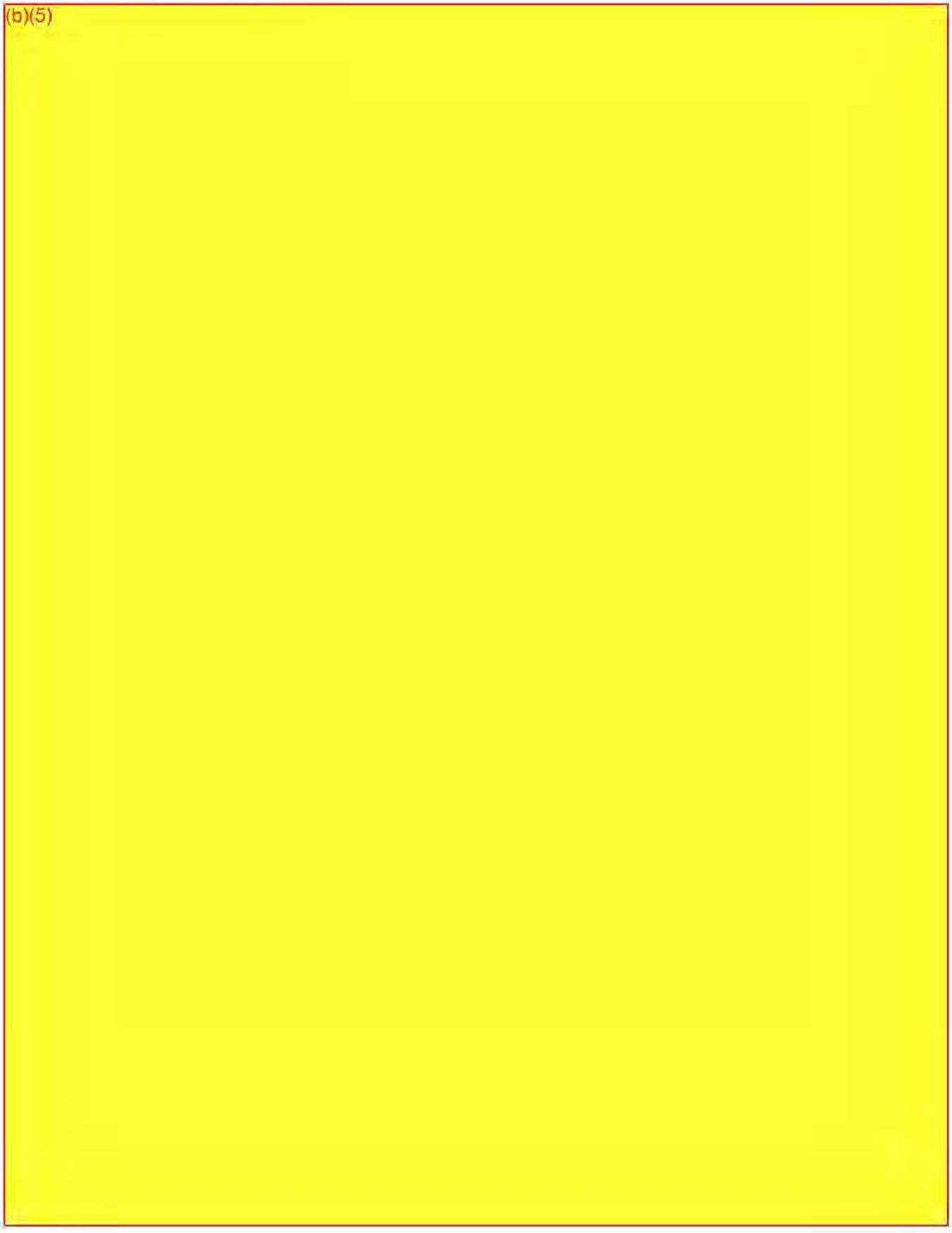


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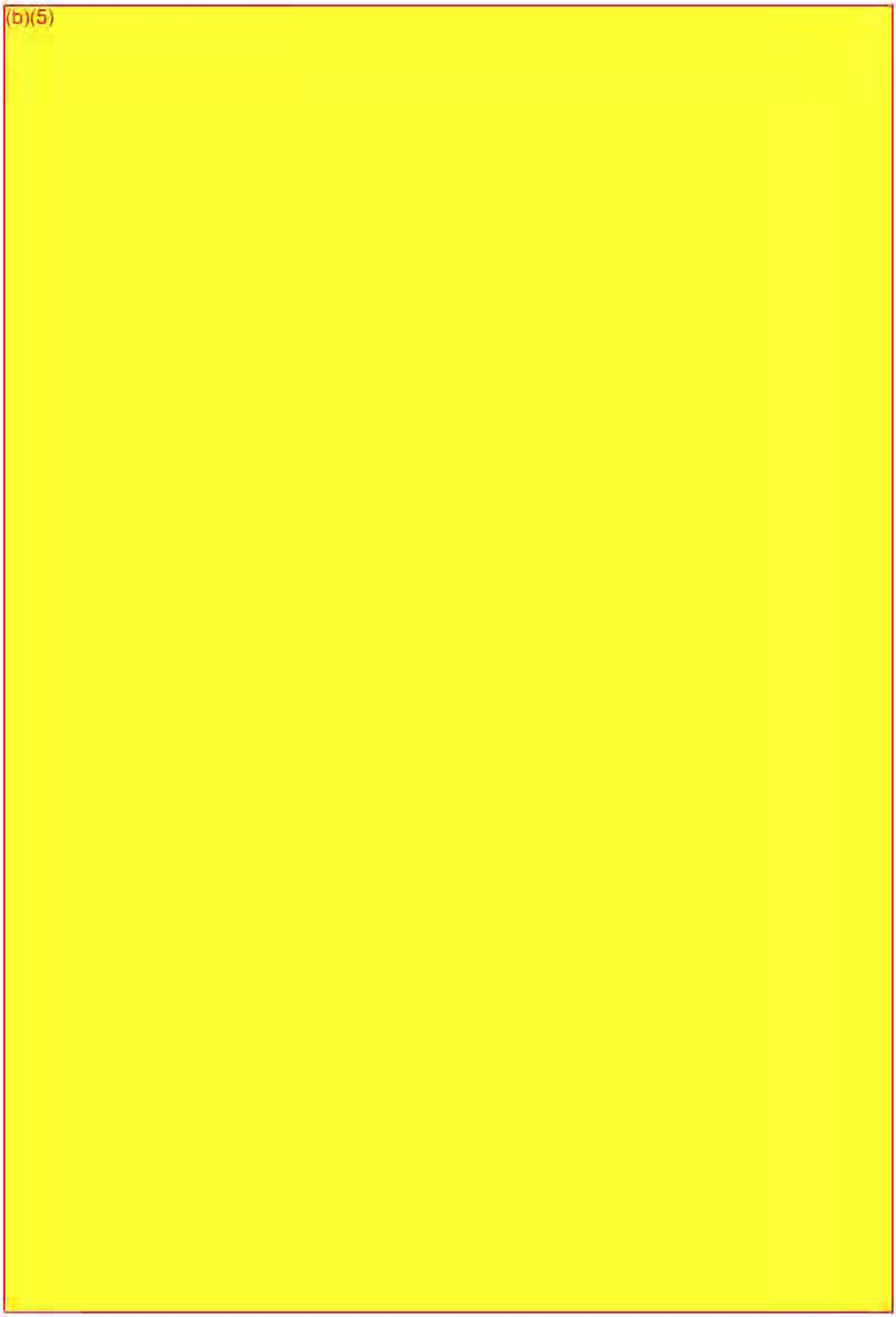
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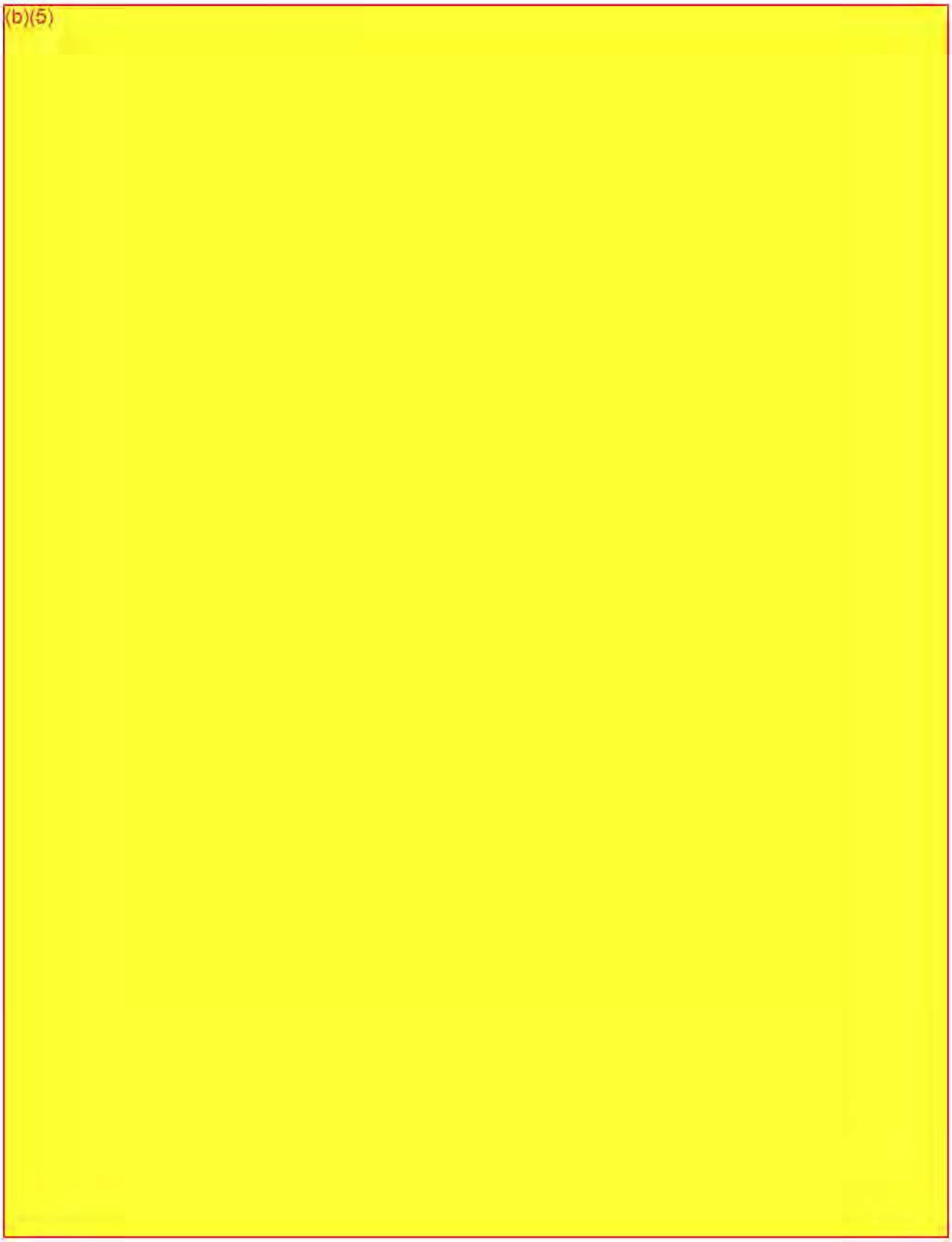
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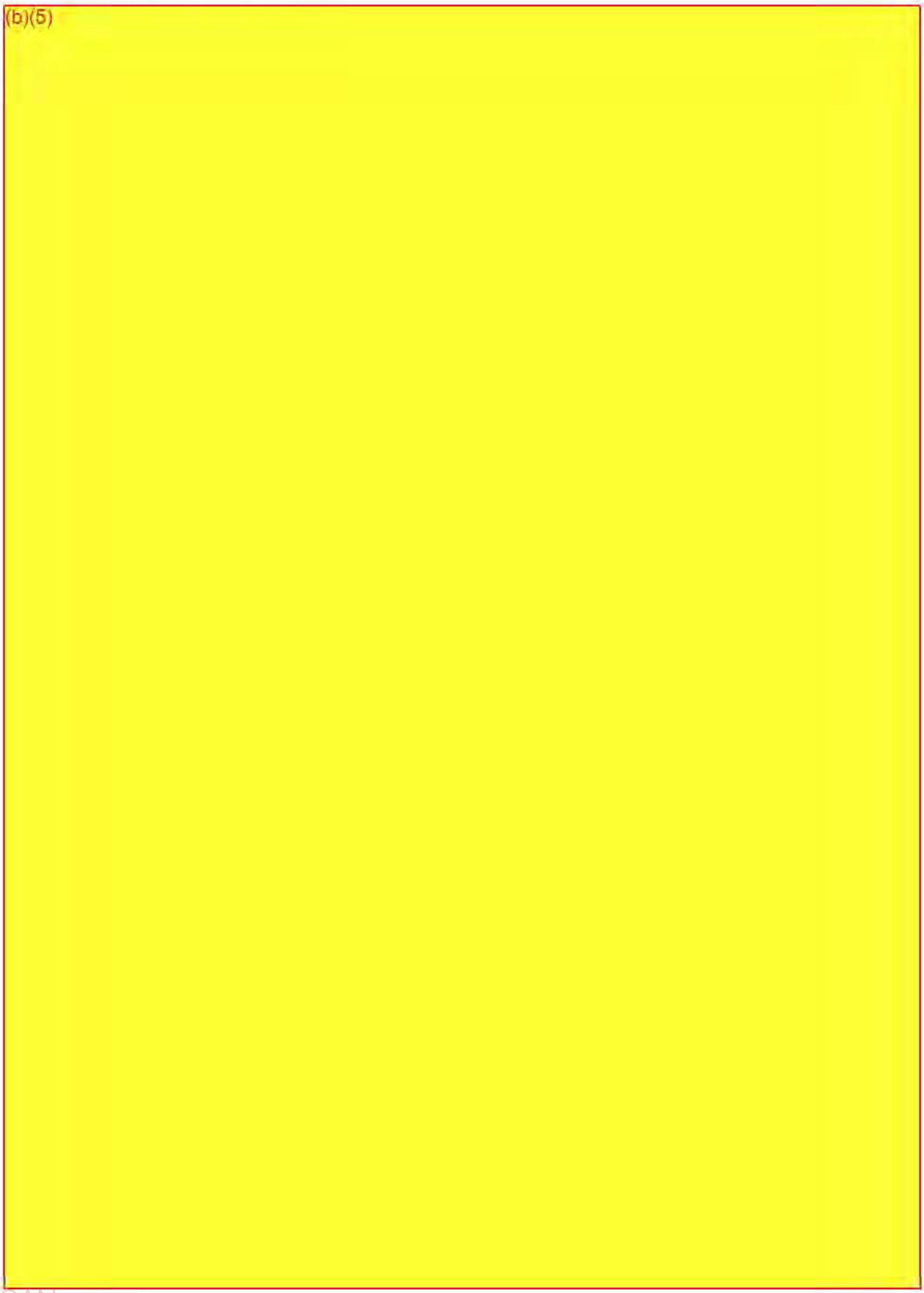
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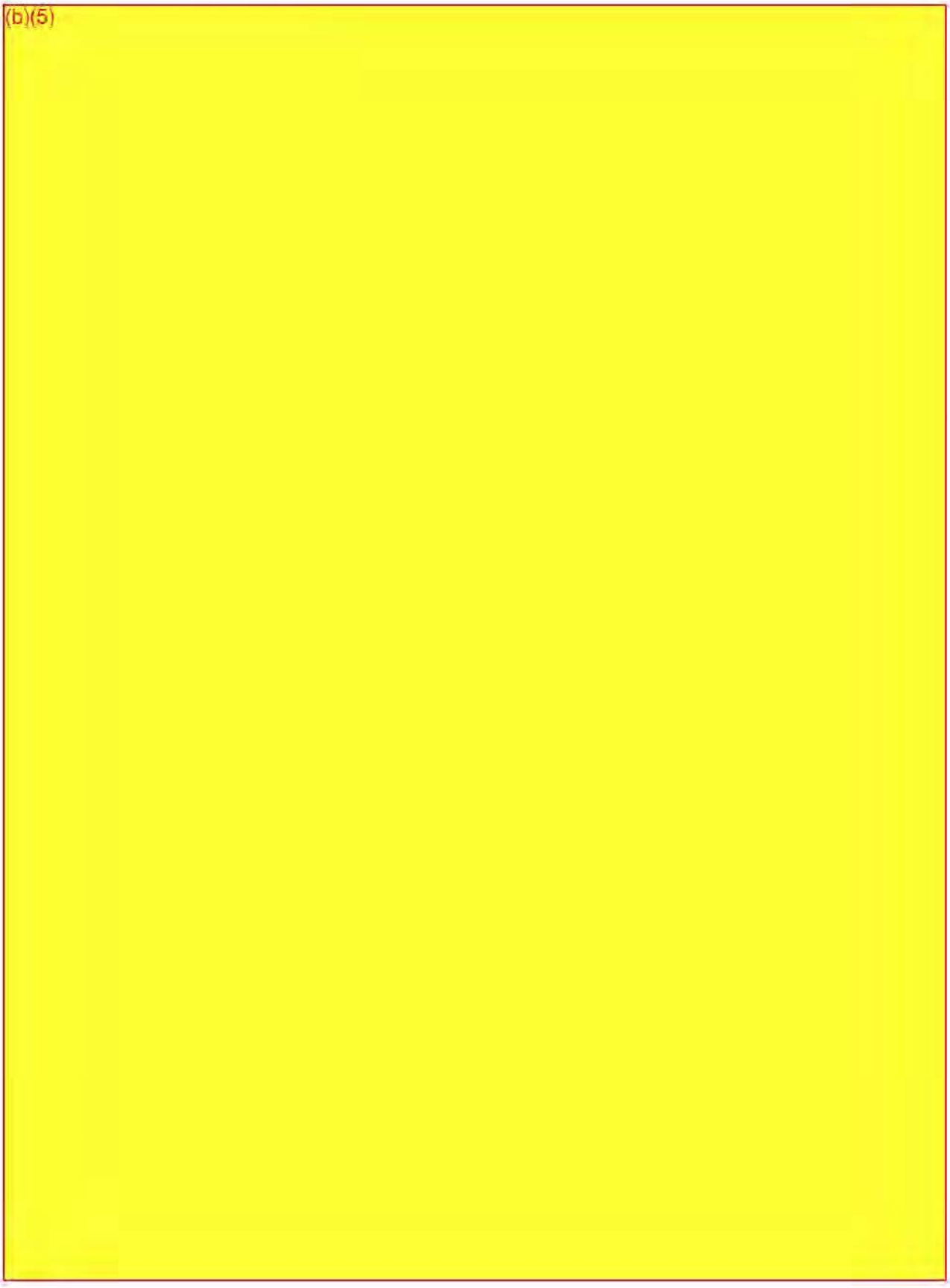
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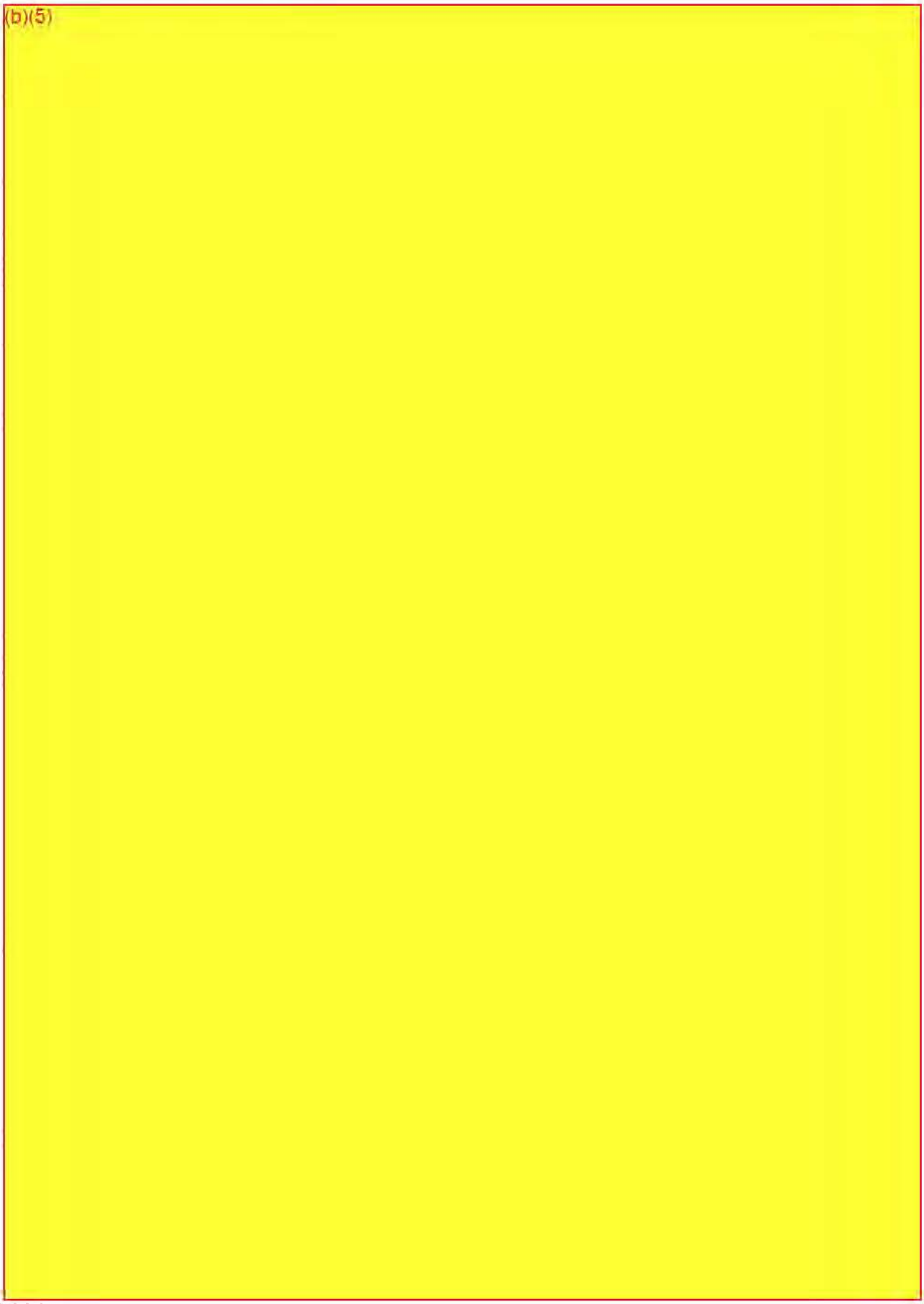
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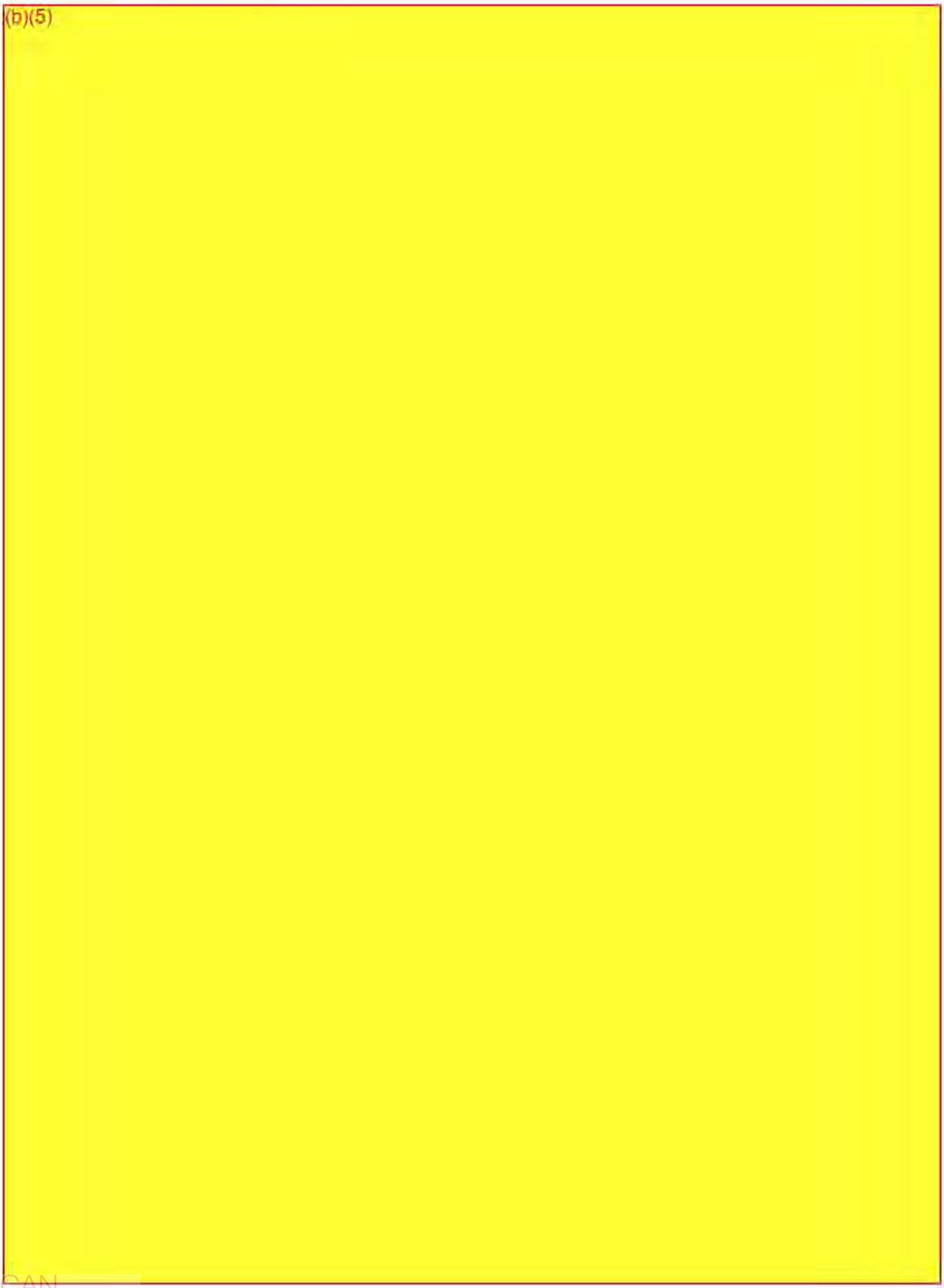
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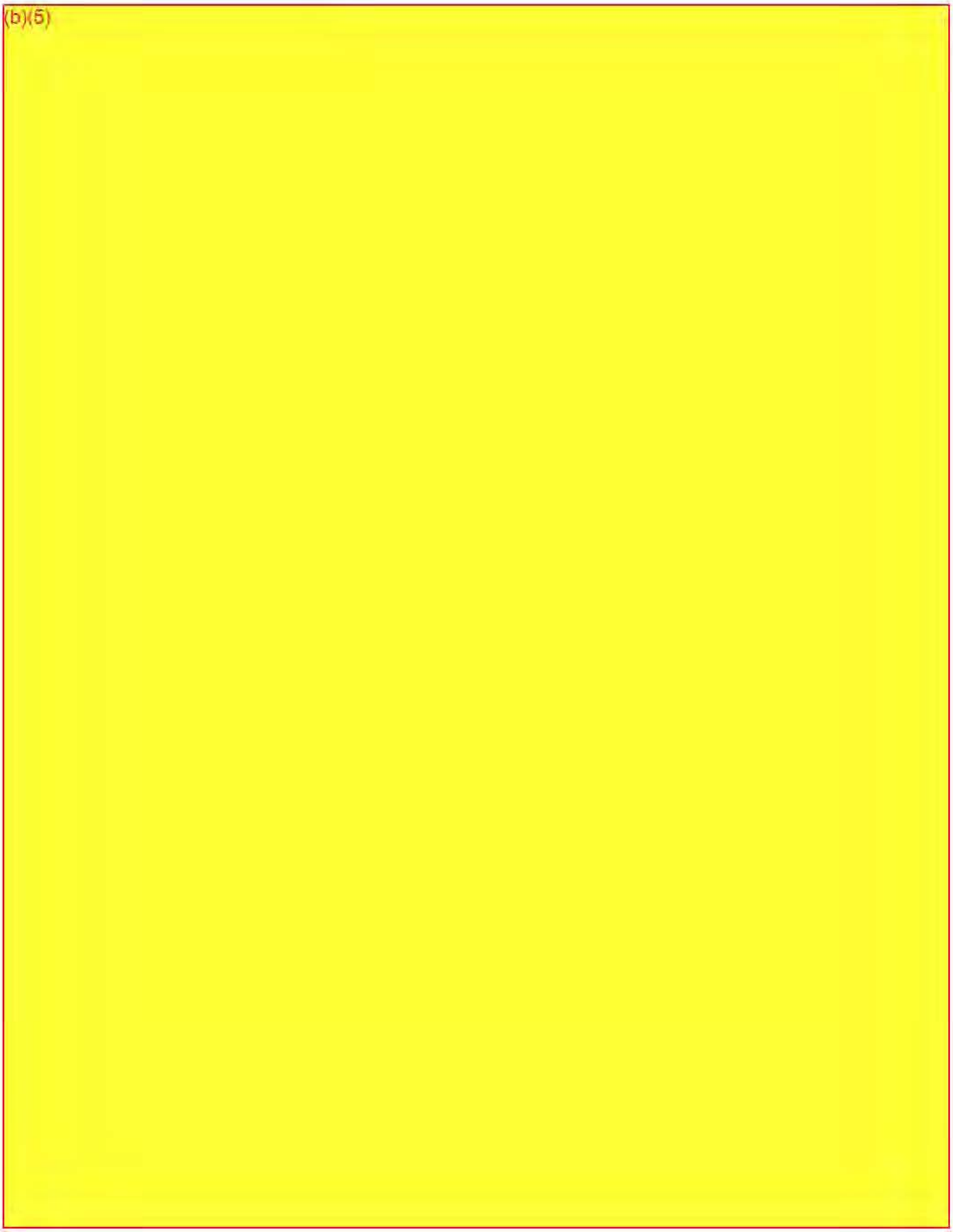
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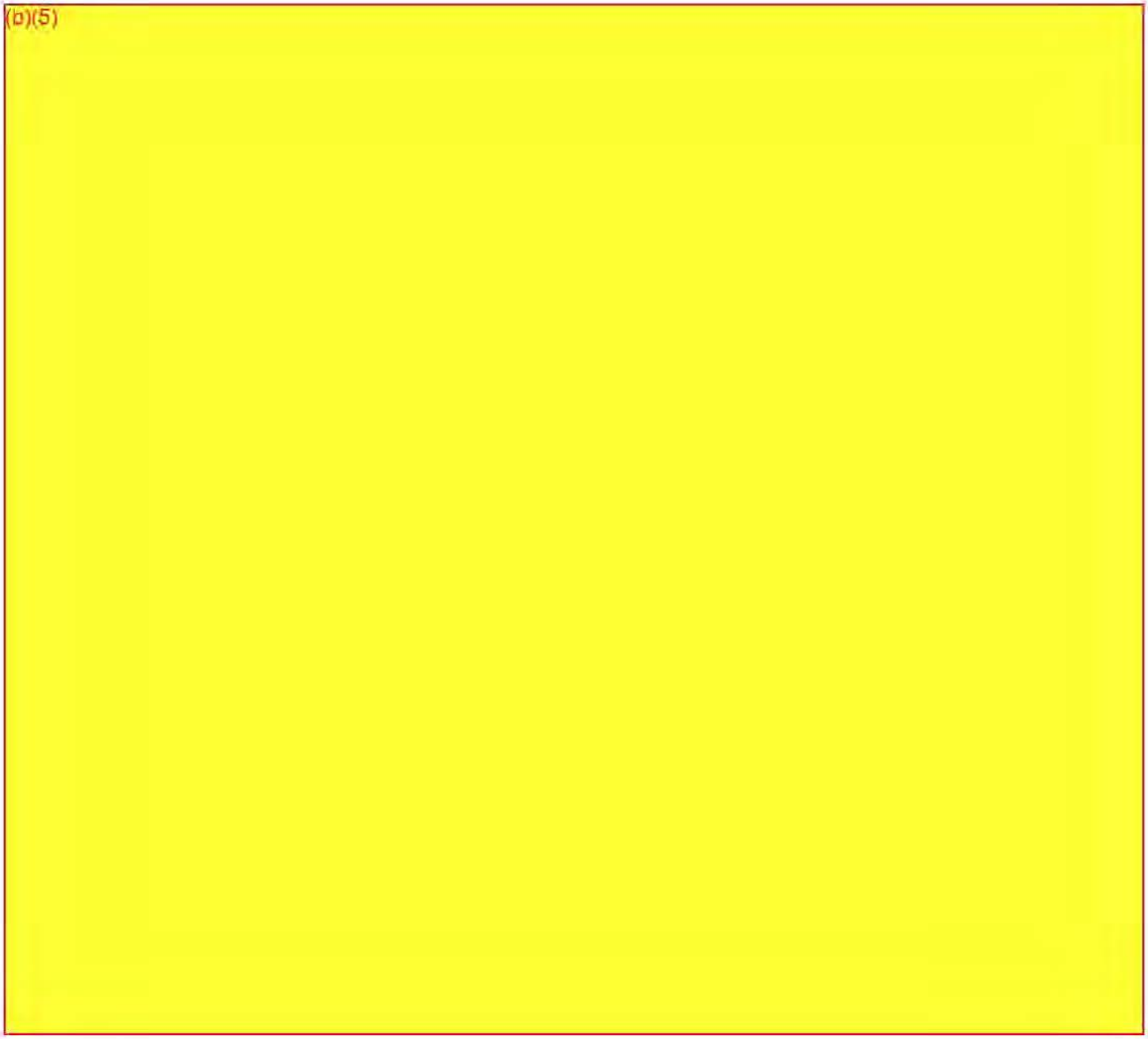
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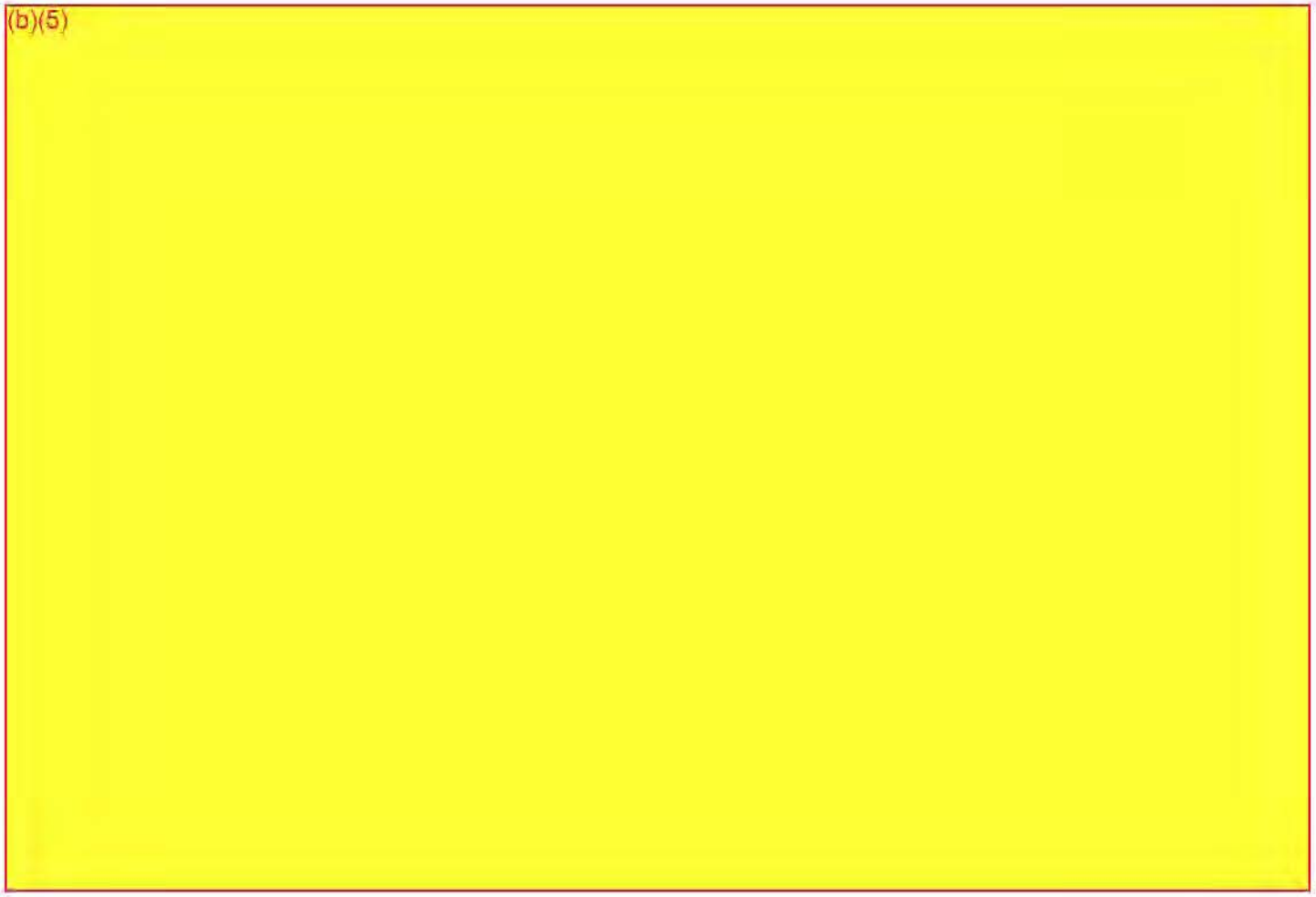
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AMERICAN OVERSIGHT

Confidential Pre-decisional Draft

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From:	Sealy, Camille (HHS/ASFR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7F521A2D55184019B0D10C670AE928E4-SEALY, CAMI>
To:	Anger, Amanda (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d58f2094b08f4a33b77cd0feea72069e-Anger, Aman>
CC:	Shuy, Caitrin (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1f12cde7b4764f1aad8b20c0dceae0a7-Shuy, Caitr>; Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>
Subject:	RE: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT
Date:	2019/05/15 22:08:55
Priority:	Normal
Type:	Note

Thanks, Amanda. I reviewed the attached draft and (b)(5) (b)(5) However, (b)(5) (b)(5)

Sincerely,
Camille

From: Anger, Amanda (HHS/ASFR)
Sent: Wednesday, May 15, 2019 6:09 PM
To: Sealy, Camille (HHS/ASFR) <Camille.Sealy@hhs.gov>
Cc: Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>
Subject: FW: HHS QFR Review due Monday 5/20 10am: FY20 Senate Finance Committee Azar QFRs DRAFT

Hi Camille, please see below and let me know if you have any questions. (b)(5) (b)(5)

From: Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>
Sent: Wednesday, May 15, 2019 5:48 PM
To: O'Brien, John (HHS/IOS) <John.Obrien@hhs.gov>; McGuffee, Tyler Ann (HHS/IOS) <Tylerann.McGuffee@hhs.gov>; Parker, Jim (HHS/IOS) <Jim.Parker@hhs.gov>; Uehlecke, Nicholas (HHS/IOS) <Nicholas.Uehlecke@hhs.gov>; Giroir, Brett (HHS/OASH) <Brett.Giroir@hhs.gov>; Harder, Kristina (HHS/IOS) <Kristina.Harder@hhs.gov>; Wynne, Maggie (HHS/IOS) <Margaret.Wynne@hhs.gov>; Steele, Danielle (HHS/IOS) <Danielle.Steele@hhs.gov>; Caliguiri, Laura (HHS/IOS) <Laura.Caliguiri@hhs.gov>; Brady, Will (HHS/IOS) <William.Brady@hhs.gov>; Moughalian, Jen (HHS/ASFR) <Jen.Moughalian@hhs.gov>; Shuy, Caitrin (HHS/ASFR) <Caitrin.Shuy@hhs.gov>; Anger, Amanda (HHS/ASFR) <Amanda.Anger@hhs.gov>; Charrow, Robert (HHS/OGC) <Robert.Charrow@hhs.gov>; Stimson, Brian (HHS/OGC) <Brian.Stimson@hhs.gov>; Chang, William (HHS/OGC) <William.Chang@hhs.gov>; White, Caroline (HHS/OGC) <Caroline.White@hhs.gov>;

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From:	Anger, Amanda (HHS/ASFR) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D58F2094B08F4A33B77CD0FEEA72069E-ANGER, AMAN>
To:	Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>
Subject:	FW: FY 2019 Testimony and QFRs
Date:	2019/03/20 18:39:49
Importance:	High
Priority:	Urgent
Type:	Note

Per your request

From: Saunders, Clarisse (OS/DAB) <Clarisse.Saunders@hhs.gov>
Sent: Wednesday, March 20, 2019 5:46 PM
To: Anger, Amanda (HHS/ASFR) (CTR) <Amanda.Anger@hhs.gov>; Sutherland, Neal (HHS/ASFR) <Neal.Sutherland@hhs.gov>; Hambrick, Gina (HHS/ASFR) <Gina.Hambrick@hhs.gov>; Hogan, Benjamin (HHS/ASFR) <Benjamin.Hogan@hhs.gov>
Subject: FW: FY 2019 Testimony and QFRs
Importance: High

All:

Please see in this email the testimony from last year and the QFRs.

Regards,
Clarisse

Clarisse A. Saunders
Congressional Liaison Specialist
Congressional Liaison Branch (CLB)
Office of the Assistant Secretary for Financial Resources (ASFR)
Office of the Secretary (OS)
U.S. Department of Health & Human Services (HHS)
Direct: 202-260-6750
Mobile: (b)(6)
Email: clarisse.saunders@hhs.gov

From: Saunders, Clarisse (OS/DAB)

AMERICAN OVERSIGHT

Sent: Wednesday, March 20, 2019 5:10 PM
To: Anger, Amanda (HHS/ASFR) (CTR) <Amanda.Anger@hhs.gov>
Subject: FY 2019 Testimony - For Jen
Importance: High

Regards,
Clarisse

Clarisse A. Saunders
Congressional Liaison Specialist
Congressional Liaison Branch (CLB)
Office of the Assistant Secretary for Financial Resources (ASFR)
Office of the Secretary (OS)
U.S. Department of Health & Human Services (HHS)
Direct: 202-260-6750
Mobile (b)(6)
Email: clarisse.saunders@hhs.gov

Sender:	Anger, Amanda (HHS/ASFR) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D58F2094B08F4A33B77CD0FEEA72069E-ANGER, AMAN>
Recipient:	Moughalian, Jen (HHS/ASFR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1ec840c6a2d4adbbc91e420a23c7eaf-Moughalian,>
Sent Date:	2019/03/20 18:39:45
Delivered Date:	2019/03/20 18:39:49

AMERICAN OVERSIGHT

CQ Congressional Transcripts
May. 10, 2018

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May. 10, 2018 Revised Final

Senate Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies Holds Hearing on the Fiscal 2019 Budget Request for the Department of Health and Human Services

LIST OF PANEL MEMBERS AND WITNESSES

BLUNT:

The Appropriations Subcommittee on Labor, Health, Human Services, Education and Related Agencies will come to order.

Certainly pleased, Secretary Azar, to have you here this morning. I'm sure we're going have a number of questions about your budget. And I preface that by saying that we understand that the final congressional action and administrative -- administration action on F.Y. '18 occurred after you were asked to submit your budget. Still, you know, there's things we need to talk about.

AMERICAN OVERSIGHT

The actual budget I think you submitted is $1.9 billion. That's 2.1 percent lower than the bill we just passed. And then in addition to that, there's another $5.6 billion that shifts from the mandatory side to the discretionary side in your budget.

I think when you add all this up, the budget's actually more like 16 percent lower than the budget we just voted on. And I'm sure were going to talk about that and look at that.

The budget request had to be submitted when it had to be submitted, but throughout the bill, looking at some of our priorities, medical research, early childhood education, education generally, the preparedness programs are programs that there'll be questions on.

I certainly agree that we ought to look everywhere we can for savings. We should look for programs that aren't working and make that decision that this is just an idea that wasn't necessarily a bad idea; it didn't work. Look for programs that we can combine to where we eliminate both redundancy and administrative cost, but at the same time, the committee will want to be heard on what we think should happen.

Senator Murray and I worked hard to craft a bill for your department this year that I think reflected the priorities of our members of the department itself and the administration.

We provided a $3 billion increase for the National Institutes of Health and over the past three years, we've increased the NIH research, that budget by 23 percent. We'll have Dr. Collins in in a few days to talk about that.

BLUNT:

AMERICAN OVERSIGHT

I also, Mr. Secretary, understand there's some questions from OMB about the way we believe that money should be spent, and we'll be insisting on the way we believe that money should be spent.

So, you know, the president agreed to this budget and my -- management from OMB is one thing. Trying to decide what the congressional priorities should be from OMB would be another thing.

We're committed and will remain committed, along with you, to addressing the opioid epidemic. The opioid has passed car accidents as the number one cause of accidental death in the country.

That budget was increased by $2.55 billion, a 244 percent increase. At some point, I think we want to look pretty carefully and be sure we're not increasing that budget faster than the money can reasonably be spent. But a lot of that increase -- a little over half of that increase in -- $1.5 billion is flexible funding for the states.

And I would also think that right now is a good time to let the states help us figure out what works and what doesn't work and where it works and where it may not work. It's a great advantage of our system, and this is a -- this is a crisis that needs to be dealt with quickly, but needs to be dealt with in a way that allows states to try as many things as they think might work.

I know, in Missouri, we're doing the medication-first approach, combined with counseling. Other states are doing that and other states are looking at this in a different way. But that flexibility, I think, in the -- at least initially, is going to be very important and may turn out to be very important throughout this crisis, because it's a -- it's a big country will lots of different issues to be addressed.

AMERICAN OVERSIGHT

I think it's important, and our committee has gone on record thinking it's important, to create mental -- to treat mental health just like we'd treat any other health problem. I think it's -- those issues are coupled with the opioid dependency; the mental health efforts are, clearly, an integral part of whether we are successful in -- in the opioid issue.

But they're also, I think, critically important as we look to overall health. We've made a big increase in mental health funding. In the omnibus, in fact, it was $306 million. $160 million of that went to the mental health block grant. Another $100 million went to new programs certified at -- look at -- targeted at certified community behavioral health clinics.

I'm pleased that both the medical research and funding to combat opioid -- the opioid epidemic were reflected in your budget. But I was disappointed that we didn't see as strong a commitment in your budget as we just made in our spending bill.

I'm also concerned about the proposed elimination of LIHEAP, which is the heating assistance program -- the heating, air conditioning assistance program; the children's hospital graduate medical education -- I actually don't know where that money is supposed to come from, if it doesn't come from discretionary.

I'd like to figure out a way that graduate medical education at children's hospitals has a dedicated source, just like all other graduate medical education has. Zeroing it out would not be the way to solve that problem, unless you've got a better replacement. And I'd like to see a permanent replacement.

Also, I have concerns that some of the health work -- the workforce programs are not as supported in this budget as I think they will be in a product that comes out of this committee.

AMERICAN OVERSIGHT

BLUNT:
But you have a big job. We appreciate the job you do. I personally appreciate the great expertise you bring to it, having been in the department before, having worked in this area for so long, and I appreciate that.

But, you know, our job is to work together to try to make what we do better, and I'm pleased to get to work with Senator Murray as we do that. And, Senator Murray, if you have some opening comments, we'll turn to those right now.

MURRAY:
All right. Well, thank you very much, Chairman Blunt. Welcome, Secretary Azar, glad to see you back and are (ph) recovered and with us today.

I am interested to hear your testimony about the department's fiscal year 2019 budget request, though I have to tell you there are a lot of things in it that concern me. While I know you were not part of this administration when they started working on this budget request, you have made it clear that you do plan to continue some of the alarming ideological approaches this administration has taken since day one.

A budget isn't just a set of numbers; it's actually a statement of values and priorities, and this budget seems to have been written by an administration that believes the goal of the Department of Health and Human Services is to raise families' health care costs and undermine patients' access to care. And it is not.

It's clear, instead of fighting to make our health care system stronger, instead of prioritizing ways to make it more affordable or accessible or effective for our

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families and patients, this administration is continuing to prioritize health care sabotage.

It's clear, instead of proposing solutions to make sure everyone can get the health care they need regardless of their background or pre-existing conditions, this administration will continue to put in place policies that weaken patients' protections, take coverage away from people and put their needed health care further out of their reach.

And this budget does take alarming steps backwards when it comes to women's health care, continuing a much larger trend we've seen from the Trump-Pence administration.

Time after time, the Trump-Pence approach has put ideology over women's health and reproductive freedom, like the recent moves to undermine the Title X family planning program and the health care providers that offer very important services to women across the country who might not get the care they need otherwise.

And then I am very concerned about the way you've handled the Teen Pregnancy Prevention Program, terminating grants in the middle of a five-year cycle, a decision that was made with little rationale and apparently at the direction of political appointees, against the advice of career staff, and significantly changing the focus of that program to promote a single ideological approach, a decision which is contrary to congressional intent, which is to support, and I quote, "programs that have been proven effective through rigorous evaluation."

Page after page of this budget request raises new red flags -- proposes to cut CDC by over $2 billion, which -- it would devastate the agency's crucial work to promote immunizations, combating emerging infections, preventing chronic disease and keeping our communities healthy.

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The budget eliminates safety net programs and critical assistance to millions of people, like the LIHEAP program the chairman mentioned and the Community Services Block Grant, which gives states resources to address the challenges of poverty.

It eliminates the Social Services Block Grant and reduces Temporary Assistance for Needy Families, programs that help families face adversity and keep their heads above water. It cuts $975 million from the Health Resources and Services Administration workforce programs, which support training for every type of health care provider.

It eliminates funding for preschool development grants, which we recently authorized and funded on a bipartisan basis to provide high-quality preschool to tens of thousands of families.

MURRAY:
So this is not the budget of an administration that values fighting, keeping our communities healthy. It is not the budget of an administration that values evidence, science and good policymaking practice. And it is actually not the direction this committee chose to take in our recent bipartisan spending bill.

As you know, that two-year bipartisan budget agreement we reached in February provided major new investments to address the opioid crisis, childcare, and earn -- early learning needs and more. So we need to hear the administration -- as (ph) -- I'm sorry (ph) -- as we now hear that the administration is going to submit a second rescission package and undo many of these investments, I want to make it clear today: We will vigorously oppose any effort to undo the bipartisan deal the president signed into law.

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Both sides made a commitment to that deal. Our side didn't get everything we wanted; neither did the Republicans. But a deal is a deal. Any attempt by the administration to break its promise by rescinding or failing to spend the omnibus funding would be a major breach of faith.

So, in addition to asking about your budget request, I'm very interested in hearing how you plan to implement the funding increases we did include in the omnibus, especially for responding to the opioid crisis and childcare.

I was glad to see your budget at least maintains the level of funding Congress directed the administration to spend, $10 billion in multiyear funding, for activities related to the opioid crisis. Of that amount, you're proposing to allocate $2.8 billion in 2019 to agencies funded within the bill.

As you know, Chairman Blunt and I agreed to increase funding for the Childcare and Development Block Grant by over $2.3 billion -- almost double what we spend now -- to help improve childcare options for struggling families, and agreed to increase Head Start by over $600 million.

I have heard from families in Washington state and around the country about their struggle to find and afford quality childcare. So I'm really glad we were able to take a step in the right direction.

And I hope we can keep working to increase investments in childcare and early learning so every parent can afford childcare and every child is prepared to succeed in kindergarten and beyond. It's not only the right thing to do; it is a smart investment for families, communities and our economy.

It is one of the many urgent issues facing our families that Democrats and Republicans should be able to come together to address, like the alarmingly high

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maternal mortality rate or the epidemic of gun violence and the lack of research into this issue, which you yourself, Mr. Secretary, have said a -- is a priority.

And Democrats are going to keep making the case that we should take steps to actually help families address these problems, instead of imposing cuts that do the opposite. And we will keep urging Republicans to work with us to make that happen.

So, Mr. Secretary, I look forward to hearing what you have to say on these issues and discussing any -- my concerns further during the question-and-answer.

So thank you very much, Mr. Chairman.

BLUNT:
Thank you, Senator Murray.

And, as I've said already today, Secretary Azar, we're pleased that you bring your skills and your dedication in this area to the job you're doing. And you've done a lot of things that other people would not have been able to accomplish, even in the last few months. We're glad you're here and look forward your testimony.

AZAR:
Well, Chairman Blunt and Ranking Member Murray and members of the committee, thank you very much for inviting me to discuss the president's budget for the Department of Health and Human Services for fiscal year 2019. And also my personal thanks for being willing to reschedule, in light of my recent illness. Thank you for that accommodation.

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It's an honor to be here, and it's an honor to serve as the secretary of HHS. Our mission is to enhance and protect the health and wellbeing of all Americans. It's a vital mission, and the president's budget clearly recognizes that.

AZAR:

The budget makes significant strategic investments in HHS's work. Among other targeted investments, the budget requests $34.8 billion for the National Institutes of Health, $5.8 billion for the Food and Drug Administration and $2.8 billion for priority biodefense and emergency preparedness programs.

The president's budget especially supports four particular priorities that we've laid out for the Department, issues that the men and women of HHS are hard at work on already: first, fighting the opioid crisis; second, increasing the affordability and accessibility of health insurance; third, tackling the high price of prescription drugs; and, fourth, transform our health care system into a value-based direction.

In addition, it strongly supports the ongoing work HHS does to keep Americans safe from natural disasters and infectious diseases. First, the president's budget brings a new level of commitment to fighting the crisis of opioid addiction and overdose that is stealing more than 100 American lives from us every single day.

Under President Trump, HHS has already disbursed unprecedented resources to support access to addiction treatment. This budget would invest $3.5 billion in F.Y. 2019 to further address the opioid epidemic and serious mental illness.

Within that allocation, for example, the budget dedicates $1.2 billion to the State-Targeted Response to the Opioid Crisis Grants and invests $150 million specifically to confront the crisis in high-risk rural communities.

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Recognizing that we need new tools and private-sector innovation to defeat this epidemic, the budget proposes $500 million to continue the NIH public-private partnership to develop new addiction treatments and non-addictive approaches to pain management.

The budget also supports programs that have a proven record of improving the lives of Americans who suffer from serious mental illness. We at HHS are pleased that Congress, including members of this committee, responded to the president's call for these investments, choosing to significantly boost HHS funding to confront the opioid crisis in the recent omnibus spending bill.

The second priority I'll highlight is our commitment to bringing down the skyrocketing -- skyrocketing cost of health insurance, especially in the individual market. The budget proposes an historic transfer of resources and authority from the federal government, back to the states, empowering those who are closest to the people and who can best determine their needs while also bringing balance to the Medicaid program.

Third, prescription drug costs in our country are simply too high. List prices are too high; seniors and government programs are overpaying due to lack of negotiating tools; out-of-pocket costs are too high; and foreign governments are freeloading off of our investments in innovation.

To address these problems, the budget proposes a five-part reform plan to further improve the already-successful Medicare Part D program by straightening out incentives that too often serve middlemen more than they do our seniors or the government program.

The budget also proposes Medicaid and Medicare Part B reforms to save patients money on drugs and provide strong support for FDA's efforts to spur innovation and competition in the generic drug market.

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We also want Medicare and Medicaid and our entire system to pay for health and outcomes, rather than procedures and sickness. Our fourth departmental priority is to use the powers we have at HHS to drive value-based transformation throughout the entire health care system.

This budget takes steps toward that shift, laying the groundwork for the value-based vision that I announced this spring. Our system may be working for entrenched incumbents, but it isn't working for patients or the taxpayer, and that has to change.

Finally, I want to highlight this budget's investments in HHS efforts to keep Americans safe from a range of threats, from natural disasters, to international infectious threats like Ebola and pandemic flu.

The budget funds a continuation of the successful public-private partnerships, such as the Biomedical Advanced Research and Development Authority, which has already launched 35 FDA-approved products since its establishment in 2006.

The budget also provides U.S. support for the Global Health Security Agenda, an effort to build other countries' response capacity so we can prevent infectious threats from ever reaching our shores in the first place.

The president's budget will make the programs we run really work for the people they are meant to serve, including by making health care more affordable for all Americans. It will make sure our programs are on a sound fiscal footing that will allow them to serve future generations, too, and it will make the investments we need to keep Americans safe.

Delivering on these goals, as the president's budget does, is a sound vision for the Department of Health and Human Services, and I'm proud to support it. Thank you, and I look forward to the committee's questions this morning.

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BLUNT:

Well, thank you, Secretary. We'll have time for a second round of questions. Other members will come later. So, as much as possible, let's try to say within five minutes on our first round and, if you have more questions and want to stay, that would be great; and, if you have more questions you want to submit to the record, that would be acceptable, as well.

Well -- well, let's just start with pharmacy cost. You mentioned some key principles there. I know the administration is going to have a major announcement tomorrow. Can you put just a little more detail on the key points that you've already made today -- how those could be used -- Medicare Part D and otherwise, the middleman issue? Anything you want to explain to us further there would be helpful.

AZAR:

You bet. Thank you, Mr. Chairman.

What we want to do is -- of course we want to balance the need to support innovation and the development, as this committee is very committed to, of the next generation of therapies for our people and the people of the world.

But we want to balance that with access for patients and, very importantly, want to make sure that those prescription drugs are affordable. On that affordability front, we're trying to address four key problems.

The first is list prices. The list -- every incentive in the system is towards higher list prices. How might we help reverse the incentives on list prices?

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The second is ensuring that our programs are up to date and ensuring that we get the best deal possible for these drugs, so negotiating the best deals possible and ensuring our programs have those tools.

The third is ensuring that there's adequate competition. At the end of the day, multiple products, multiple generics, multiple branded products, swift entry of generics, ending any kind of patent gaming that prevents generic entry is critical to long-term price reduction in our system.

And then the fourth area is -- are patients' out-of-pocket expenses. As we've seen changes and transformations in insurance design over the last decade, patients are being asked to assume more of the cost of drugs when they show up at the pharmacy or get the bill at the hospital or doctor's office for those drugs. And how do we address that out-of-pocket?

So those are the areas we're going to be focused on tomorrow, when the president rolls out his game plan.

BLUNT:
Yes. I would say, on the list price versus the net price issue, that whatever we do here needs to always also keep in mind people who aren't on any government program, people who, for whatever reason, haven't been able to afford or have chosen not to have an insurance plan that they thought didn't meet their needs.

And they're the ones that, more often than not, are, at least initially, asked to pay the list price that virtually nobody else is paying. And we need to be sure we're aware of that at the same time.

On durable medical equipment, Mr. Secretary, you've been forward-leaning in trying to help solve that problem. In our state, in Missouri, there are a lot of urban

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Missourians, suburban Missourians who live in communities that have lots of options. They can shop. There's competition.

BLUNT:
There are lots of Missourians that don't have that at all. And, in fact, I think, in June of 2013, we had 199 suppliers of durable medical equipment; many of them sole (ph) -- the only supplier in rural communities. We're down, now, to 152.

I think the Office of Management and Budget just released a rule that you sent them last year. What will that do to encourage people to continue to provide the kind of medical equipment that allow people to stay at home, rather than their other option -- which is much more expensive for taxpayers, in most cases -- of the nursing home that leads to Medicaid and all kinds of federal costs -- where durable medical equipment being available often can make the difference in whether that happens or not -- available and supported by somebody who is a phone (ph) -- who is able to really support the equipment?

AZAR:
Well, Mr. Chairman, thanks to you and other members of the Senate and the House, we -- we appreciate always being aware of the concern on rural durable medical equipment and the impacts that the reimbursement program was having on them.

And that inspired us to act with the rule that we put out yesterday that, we hope, will provide some relief to rural DME providers. Ensuring that access, for reasons you said, is absolutely vital. To not do so could be penny wise, pound foolish.

BLUNT:

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I think you've established a rate for most of the rest of this year. What do you expect to happen after that?

AZAR:
So what we're going to do is we want to take the learnings -- we had been on track for 2019, but we've actually put a pause on that to make sure we take the learnings from this experience of what we have seen in terms of the -- what's happened to rural durable medical equipment.

And, of course, in the rule that came out yesterday, we have come up with a 50-50 blended rate that we think will provide a lot of relief to these rural DME providers.

We've also, in the budget, asked for two changes to how competitive bidding can work, and I hope we'll get support from Congress on this. The first is that we would pay winning suppliers, winning bidders at their bid amounts, rather than just at the lowest bid. There had been some bottom-feeding behavior going on that was actually making it unsustainable in rural communities to be a DME supplier, even if you won the bid.

And the second is to expand competitive bidding to all areas, so that the bids are localized, so a rural provider isn't being judged and paid on whatever, for instance, an urban community bidding process would have resulted, which was the challenge under the current system.

So we are very open-minded. We want to make sure this program works. Rural DME is very important. And so we'd seek any input and want to work collaboratively with both sides of the aisle to just make sure 2019 works better than it has.

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BLUNT:
Thank you, Mr. Secretary. I'll have some more questions later.

Senator Murray.

MURRAY:
Thank you very much. And, again, thank you for -- for being here today.

I wanted to ask about Title X. It is the only federal program dedicated to providing family planning and related preventive care, including birth control and lifesaver cancer screenings, to uninsured or underinsured and low-income people.

Every year, Title X providers serve more than 4 million women, men and young people. Now, while your budget does maintain the level funding for Title X at $286 million, as Democrats and Republicans agreed to in the spending deal we just reached and sent to the president, your budget actually would undermine access to care by attempting to exclude Planned Parenthood from participation in this.

They provide basic health care service to 2.4 million patients every year. They serve more of the program's targeted population than any other Title X-funded provider, including 4 in 10 of (ph) patients who receive contraceptive care through the program.

So, Mr. Secretary, do you think the federal government should be in the business of telling women which doctors they can and can't see?

AZAR:
So, senator, we -- we share your prioritization and concern for the Title X program. As you said, in our budget, we -- we funded it at a level amount, and we

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want to ensure that the program works for the women and men who are able to make use of it.

We want to make sure we've got a robust group of providers that are available, that it -- that we're able to reach people so that they get the services. We want to ensure that it reaches a broad range of family-planning services, which, of course, is the mandate in the Title X statute.

And so we want to have a diverse group of suppliers, of grantees, and we want to make sure that we have the full, broad range of family-planning services available, per the statute.

MURRAY:
OK, but, then, can you commit to maintaining a network of safety-net providers that will deliver the full range of high-quality family planning services to 4 million people nationwide?

AZAR:
So we believe that whatever we would do with Title X will -- will ensure appropriate access to Title X services, as well as -- as broader services, more generally. Our grant process is actually seeking out a broad reach of providers and grantees who would be available for individuals.

MURRAY:
Yeah, you -- OK. Well, I hope that you will make the commitment to not remove a provider that actually provides 41 percent of the currently served. And we'll be watching that very carefully.

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Let me ask you about ACA, while you're here. As you know, President Trump campaigned on the promise to guarantee affordable health care for everyone and protect people with pre-existing conditions. It has been really disconcerting to see this administration sabotage the health care system in -- in many ways, driving up premiums, and a recent study showed that millions more people are becoming uninsured.

So I am concerned that, now, in another attack on patients' health care, HHS is proposing to expand the sale of short-term junk plans that allow insurance companies to deny coverage to people with pre-existing conditions and exclude essential health care benefits, like cancer treatment or maternity care.

Many of these junk plans spend as little as 50 cents of every premium dollar they collect on actual medical care, spending the rest on executive compensation, marketing and overhead. Federal protections ensure that no one can be denied coverage or charged more based on their health status. So I want to be very clear: Your proposed rule actually undermines those critical protections.

Do you know -- do you agree that the short-term plans your rule is promoting are allowed to actually deny coverage for individuals with pre-existing conditions or charge them higher premiums or exclude these critical benefits?

AZAR:
So, Senator, we -- we share the goal -- we want people have access to competitive, affordable health insurance. Unfortunately, the Affordable Care Act is not delivering on that.

We want to keep working with you on changes to make insurance affordable for individuals, but, pending legislative changes, we want to make available to

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individuals who had been -- the 28 million men and women who been forgotten and forced out of the market -- some kind of option.

It may not be the right option for everybody, and we want to be very transparent about that; for some individuals, it may be better than nothing...

MURRAY:
OK. What...

AZAR:
... and so these same short-term plans are what the Obama administration...

MURRAY:
... well, those are...

(CROSSTALK)

AZAR:
... eight years.

MURRAY:
... those are short-term. And the short-term plans guarantee none of the critical consumer protections that are included in the individual insurance market -- coverage for hospitalization, mental health and substance use disorder.

Actually, a recent report found one that doesn't cover hospital stays on weekends. So what -- your proposed rule is, extend those short-term -- very short-term plans, which deny these coverage, to a full year.

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So I'm really concerned that part of what is driving up premiums today is this rule. And I'm very concerned that families who enroll in these plans will have no idea and will be stranded without coverage when they are sick. So, again, this is something I'll be following very carefully.

Thank you, Mr. Secretary.

BLUNT:
Senator Alexander?

ALEXANDER:
Thank you, Mr. Chairman.

Welcome, Mr. Secretary.

Senator Murray and I agree on many things. One thing we do not agree on is health insurance.

For example, as you just said, the short-term plans she's talking about are the same short-term plans that existed throughout almost the entire Obama administration.

And I want to congratulate the administration on the associated health plan proposal, which has the prospect of letting small -- employees of small business have a chance to have the same kind of insurance that an IBM employee might have, at a -- much less of a cost and -- and with the same protections.

You couldn't be charged more because of a -- pre-existing conditions. You couldn't have your coverage denied because of a pre-existing condition. Your kids

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would have -- you'd have to give coverage to your kids, up to age 26 -- it couldn't be a lifetime limit.

So those who have -- and, in addition, rates didn't start going up with President Trump. They started going up with President Obama in 2013, with the beginning of Obamacare.

They went up 176 percent in Tennessee since 2013. And we had a proposal which -- a month ago, President Trump asked Speaker Ryan and Senator McConnell to put it in the omnibus spending bill. They agreed.

Oliver Wyman (ph) said it would have reduced rates by 40 percent. It wouldn't have changed essential health benefits. It would've allowed coverage for pre-existing conditions, no lifetime limits. So (ph) the Democrats blocked it.

So that's a difference of opinion we have about who's responsible for the high rates, which are coming because of Obamacare. And Democrats blocked our proposal a month ago. Now, one area we agree on is the urgent need for response to the opioid epidemic.

Senator Murray and I and our Health Committee unanimously, after several hearings, reported a bill, a few weeks ago, with contributions from 38 senators, with more that 40 proposals to attempt to give states and communities and doctors and hospitals and judges more tools to deal with our largest public health epidemic.

Have you had a chance to review that bill? And does the administration support it?

AZAR:

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Thank you, Senator. And thank you for your commitment around helping to make options more affordable for individuals under the Affordable Care Act. And, also, we thank the committee and the Congress for the bipartisan work on opioids.

I've reviewed some of the elements of the -- of the bill -- been briefed on them. The administration doesn't yet have a formal position, as you know, to stay on the legislation. But there are so many very good things in there that I'm sure we'll continue to work together and we'll run (ph)...

ALEXANDER:
Well, may I -- may I...

AZAR:
... through the process of -- of deciding on administration...

(CROSSTALK)

ALEXANDER:
May I ask you to give it your priority? Because the House of Representatives is working on opioids, this month. They hope to produce a bill. I hope that our bill could go to the floor this summer.

I have contributions from other senators. We invited many of them, from other committees, to meet the witnesses at ours. And we would hope to be able to deal with this problem, this summer.

Let me move to something called the Medicare Area Wage Index. This -- this is an index which has a big effect on how hospitals are reimbursed, the 5,500 hospitals in the country. And, from our way of thinking, there is a big unfairness.

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Because of the wage index, for example, if a hospital in Connecticut is billed $100 -- billed $100 to Medicare, next year, it would receive about $126. But, if a hospital in Tennessee billed Medicare for $100, it would receive $82.

And, as a result of that, a number of us in states (ph), because of that discrimination, have introduced legislation to try to adjust the Hospital Area Wage Index, because it's causing hospitals to close.

CMS announced a rural hospital initiative, but it didn't include any relief from the Area Wage Index. Have you thought of ways to adjust the Area Wage Index to, one, make it fairer, and especially to focus on rural hospitals?

AZAR:
Senator, thanks for raising that issue. The wage index is one of the more vexing issues in Medicare, and challenging in part because of the budget neutrality. An adjustment for any one state on the wage index actually hurts other states and leads to this constant back-and-forth of winners and losers there.

And we have and the prior administration have suggested to Congress that we would like to work together to actually come up with statutory changes to adjust the wage index approach to ensure better equity. We, every year, are dealing with challenges in many states -- in particular, some rural areas. But we have issues constantly...

ALEXANDER:
Thank you.

AZAR:

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... in certain East Coast states. So we'd welcome the chance to work with you and others on appropriate reforms.

ALEXANDER:
My time is up, but I want to conclude by saying, one other area we agree on on this committee -- and Senator Blunt and Senator Murray deserve great credit for their leadership -- is their focus on biomedical research and the funding for the National Institutes of Health. And we hope to continue that.

BLUNT:
Thank you, Senator Alexander.

Senator Durbin.

DURBIN:
Follow up on that, thank you, Mr. Secretary, and I want to thank the -- the three senators to my left for their leadership on medical research.

I'm disappointed that the president's budget calls for a reduction of 6.2 percent in spending at the National Institutes of Health. I hope that we have the wisdom to ignore that suggestion and continue to move forward in critical medical research.

A 32.5 percent decrease suggested by the president's budget for the Center for Disease Control is equally vexing, when you consider what we face now, across this country, in terms of public health challenges.

So I'm counting on my three colleagues to my left, who have shown real leadership in this area. I hope Congress can show a better approach to the administration.

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Let me ask you to join with me for -- thinking for a moment about the issue of addiction, today, and how it has changed. I spent a major part of my congressional career fighting big tobacco for personal reasons, for family reasons and for obvious public health reasons. And there are indicators that we started moving, just slightly, in the right direction.

And the best indicator was the fact that we've seen a decrease in tobacco smoking among kids, from 28 percent in the year 2000, to 8 percent in the year 2016. That's dramatic, because we learned that, if you don't hook kids early, while they're making the wrong decisions and immature, it's very difficult to convince them to become cigarette smokers later in life -- good news.

Now, let's talk about the sobering bad news that we face. We know, from the opioid crisis, that it strikes everywhere -- not just in the inner city, but in wealthy suburbs and small towns. I can prove it in my state. Everyone sitting here can prove it in their own state.

It is an insidious epidemic -- the worst drug epidemic we have faced in America, period. Now, it is morphing into a new version of that epidemic that is even more frightening, with the use of these synthetic narcotics, like fentanyl, which can be produced, sadly, in a laboratory over a span, I understand, of 48 hours in the United States.

It's no longer a question of the poppy fields growing somewhere around the world, it's our backyard and the opportunity people have to make fentanyl, to addict people and to kill them with this synthetic drug.

DURBIN:

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But it's not the only addiction. There's another one that I want to call to your attention, on your watch, that is becoming alarming. Between 2011 and 2015, the use of e-cigarettes -- vaping -- among high school kinds increased more than tenfold, from 1.5 percent to 16 percent. In my state of Illinois, 27 percent of high school students are using vaping devices and e-cigarettes.

I talked to Dr. Gottlieb about this. When we confront the industry, they say no, this is about getting people off of cigarettes on the vaping, which is not as dangerous.

Well, that might make sense. Maybe that argument might have some merit until we look at the products that are for sale. Let me show you some of those products for the record. These or vaping products available, supposedly for adults -- adults, to get off of using tobacco products: Jam Monster, a blueberry a packaging flavor of -- I guess (ph) to say it's the same as jam, butter and toast; there's another good one here, soft serve ice cream flavors.

Then when it comes to the flavoring, cupcakes -- raspberry yogurt cupcakes, raspberry jelly, if you don't like raspberry yogurt if you're lactose intolerant -- but the difficulty we have is that these are becoming so pervasive, so insidious so fast that when the FDA says we'll get around to this in four or five years, we don't have the time, Mr. Secretary, we don't have the time.

We need to commit ourselves now to stop this. Did you read the Washington Post this morning? They're talking about saying that the kids in schools, in the suburbs here can't bring flash drives to school anymore because it looks too much like a vaping product and they mistake one for the other.

They're taking doors off the bathroom stalls in schools because kids are going into the stalls to vape during the course of a day. This is a galloping addiction and one

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that is affecting children across our country. My obvious question to you is what's this administration at about it?

AZAR:
Well, thank you. We -- we share -- we share your goals here totally. And in fact, just last week, the FDA went after; I don't know if it is those precise products, if not, they will be. These products are clearly being marketed towards and aimed towards children. We are going after them. We will go after them.

While the commissioner has laid out an agenda that tries to balance having alternative nicotine delivery devices available as a means for exiting combustible addiction from cigarettes another to other devices, we must ensure that these alternative nicotine delivery devices are not marketed for or become an entry point into tobacco, exactly the concern that you're expressing, and we will be -- we will be very vigorous in going after these -- any bad actors are trying to market or aiming towards entry points for children or others into addiction.

So I think were completely aligned. We need to just talk -- we want to ensure that we get adequate regulation and that we develop this phase of the exit path for combustible tobacco. We want to make sure that that develops but it's done the right way, uncompromising in terms of any kind of entry path for children or others into tobacco addiction. We -- we would share the goal completely, senator.

DURBIN:
I will tell you that while we -- the jury is out on this conversion from combustible tobacco to vaping, as to whether it actually is a legitimate purpose for this product -- while the jury is out, vigor and commitment of the industry in hooking our kids is unmatched.

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And I don't think there's a sense of emergency or urgency in this administration yet for something that could end up being sadly part of your legacy, to have stood by and watched as the percentage of kids in America became addicted -- hopelessly addicted to nicotine through these products.

BLUNT:
Thank you, Senator Durbin. Senator Lankford.

LANKFORD:
Thank you, Mr. Chairman. I appreciate the comments and I agree completely on the issue on the vaping and things that are targeted towards children and what's going on in the opioid epidemic.

And I look forward to working with the secretary and with all of Congress on that issue as well as what I would raises an issue of Congress has been kind of double minded on the issue of one point promoting marijuana legalization, on the other point trying to be able to go after vaping.

And so I would hope that we would speak with a consistent voice on these issues that marijuana -- encouraging more people to use marijuana doesn't exactly help us either long-term and that we should be consistent messages, that -- not say opioids are bad, but marijuana is good.

Let -- let me to go back to one your comments earlier you made in your opening statement. You talked about the middleman in prescriptions. I assume you're talking about the PBMs. That has been a big issue and a major driver of cost. Obviously when the EpiPen whole conversation came out for the first time, millions of Americans heard about PBM's for the first time and started asking questions, but it has been a big issue for a while.

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Where is that going right now in the ongoing conversation about how the dollars for any of those prescriptions are getting to the producer or dealing with the consumer or the person delivering it in the pharmacy, but not to the PBM in the middle?

AZAR:
So thank you for asking about that and that will be a focus of the president's announcements tomorrow is addressing every element of the pharmaceutical pricing channel, including those who negotiate for so many of us, the pharmacy benefit managers, their role. They serve a very important purpose.

LANKFORD:
Sure they do.

AZAR:
But I think it's very important that we address the incentives that are in the system, who are they working, who are they being paid by and where do the savings go to?

LANKFORD:
Well it's been clear that insurance companies are purchasing pharmacies and such to get access to the PBM's in the middle seeing that that becomes the pathway to actually greater profits is to be able to own that PBM on it, but it's also, as you mentioned in your opening statement, some of your questions about competition. If competition is important, local pharmacies are important.

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Let me ask -- let me ask your perspective on this as well, The local pharmacists, especially a rural pharmacist in the DIR fees, they're coming back trying to recapture some of these.

How we protect the local pharmacy in rural areas to make sure that we still have those local pharmacies, that not everything it mail-order, but patients have the opportunity to be able to ask face-to-face questions on it; but we're not trying to go back six months later and try to recapture things from the DIR fee?

AZAR:
Senator, I'm -- I'm glad you raised this issue. It is something that's been on my radar and is a concern for me and I will -- I'm going to actually ask our inspector general to ensure that he is looking into this question.

The issue you're raising, as I understand it, is often where you have these large pharmacy benefit managers that own their own mail-order specialty pharmacy but they also have to interact with local or non-owned specialty pharmacies, are these DIR fees essentially taxes imposed differentially and unpredictably on those independent pharmacies in a way that puts them at a competitive disadvantage from the owned ones.

I think it's a -- this is an important issue worthy of study, because as you said, there should be a level playing field and there should be good competition. So I'm -- I'm going to ask the I.G. at HHS to look into this issue.

LANKFORD:
I -- I appreciate that very much because that is an issue and it typically months later, when they actually find out about the DIR fees.

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So a local pharmacy will charge a client $10 for a pharmaceutical, and then a DIR fee comes back later that's a nine dollar claw back on it. Six months later that pharmacy is obviously long gone. They're not going to go back to their customer and say, no I undercharged you on this.

It's become a big issue for them and it's a rolling issue. It's related to what Senator Alexander was talking about before with the wage index. If you've got a cardiologist Oklahoma doing a procedure, the wage index becomes a big issue because the device that they may put it, whether it be a pacemaker or any other valve, whatever may be the device is the same cost whether you're in Oklahoma or New York City.

LANKFORD:
But in Oklahoma, the cardiologist makes a tiny amount because most of the cost of reimbursement is the device. While in New York City, the device, which is the same cost, the cardiologist gets a very large amount. So what happens is if you're a cardiologist your tendency is to be able to move to the East Coast where you can get paid more for the same procedure.

If we want to have fair medical treatment for everyone across the country, we've got to also be able to balance out not just the cost of the device and reimbursement but also what the doctor themselves is being reimbursed based (inaudible).

Let me also mention to you as well about the rural hospitals. We've got multiple areas I'm going to try to chat with you about because some of them are issues that you all are dealing with like the abortion sub charge -- or sir charge that's ongoing that Obamacare, at the very earliest days said that had to be a separate billing

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amount but it obviously has proved not to be so and be one of those things I will want us to be able to work on, be able to establish.

But for rural hospitals, in 2015, 15 hospitals were designated as vulnerable rural hospitals. By 2016, we had 42 hospitals that were designated as vulnerable. By 2017, we have 41 hospitals but in the same time 4 of those hospitals are closed.

We have major issues that are rolling out with the Affordable Care Act over the years that has disproportionately hit those rural hospitals.

I know you all are making some recommendations on this. I just want to be able to say, this is of epic importance to rural hospitals that we do resolve some of the issues that we have there in reimbursements.

Telehealth, all of those things that become so important on it; we're losing emergency rooms and we're losing access in rural areas and that'll be exceptionally important we deal with that. Thank you, Mr. Chairman.

BLUNT:
Thank you, Senator Lankford. Senator Manchin.

MANCHIN:
Thank you very much Mr. -- Mr. Chairman and thank you Secretary, it's good to be with you. First of all, we finally got a bill called Jessie's Law and I think I sent you a letter on that and I want to follow up on that because it's just a common sense piece of legislation. This little beautiful girl Jessie Grubb, as you know had an injury.

She was - she was an addict and she was trying to clean up and she was doing very well in rehab and went -- and had a running injury and went to a Michigan

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hospital and she told the doctors, her parents were with her, and she was so proud of being a recovering addict and wanted to be very careful about her markings on her -- on her -- all of her scripts (ph) as far as her admission to -- to the procedure she was going to need.

And you know, to me, I thought it was common sense they would mark it as if you're -- are allergic to penicillin; something very critical. It wasn't. She got discharged - discharged and the doctor didn't see it, gave her a prescription of Oxycontin and she had overdosed by that evening and -- and died.

So what we're saying is this piece of legislation, you all have it now, to set some guidelines and rules making sure that the procedures. So I think what I need is, and I -- and I -- and I know you feel the same committing your agency to immediately begin work on this - on these standards and disseminating (ph) it quickly as possible.

Medical professionals all over the country are going to have guidelines of how they mark when there's a patient coming in identifying themselves of this nature. Have you all started or have you received that in the office or have you...

AZAR:
So I have not been briefed on our efforts in response yet but I can assure you that will be a high priority for us that we share the goal, we want to make sure that gets all...

MANCHIN:
This was -- this was all preventable. Senator Capito is a co-sponsor with me on this. It should have never happened and they just want to make sure that this -- this beautiful little girl didn't die in vain and saving others.

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So for all your staff here, it's called Jessie's Law; it was in the omnibus bill. You have a letter on that. We'd be happy to work with you. I know Senator Capito's staff will be the same. Anything we can help you with.

Let me go right into -- because I -- I -- I really, I mean people say, "Well how come I can order drugs from Canada and get them so much cheaper? Why are the drugs so expensive? Why are pharmaceuticals charging so much? Why are drugs protected for such a long period of time before they're able to be sold as cheaper generic drugs?

And the whole pricing structure, the PBMs -- the purpose of PBMs, are you all looking at that and they're telling me that it's a pricing structure and how we sell drugs to the consumer is why (ph) the cost is so much different than anyplace in the world.

AZAR:
So tomorrow we'll -- the President will be rolling out a comprehensive plan around drug pricing that addresses all aspects of the channel including the role of the pharmacy benefit managers, drug companies, others in the system, highlighting exactly the types of issues you're raising and also going after this question of foreign governments that free ride off of American investment...

MANCHIN:
Well is the pricing -- do -- do -- would you say Secretary that a lot of the pricing in America being some of the highest cost in the world as far as for life-saving drugs and drugs that are needed for quality of care for people. Is it because of the pricing, the way we sell it, the way we get it to market that's causing that?

AZAR:

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It's -- so I don't believe it's the selling and marketing of how - is the reason. It's basically government structures and payer systems and what happens in the United States, some of our plans and some of our approaches actually drive as good or better deals than some of the socialist systems abroad. And then within other parts of programs and for other medicines, foreign governments, socialist single-payer systems get a better deal.

Now often that deal comes at the cost of rationing and access and patients who are suffering from cancer or HIV Aids or MS or rheumatoid arthritis, they can't get access to the medicines that you can here in the United States because that's exactly what the socialist systems do.

So it is a balance but what the President's is going to be doing is trying to tackle the elements of our program -- how do we make them better so that we pay less and of course, get foreign governments to pay more.

MANCHIN:
I have to hurry up real quick. I just -- I look forward to that report tomorrow and if we can start down the path to get cheaper drug prices and access to those cheaper drugs -- drug prices on the market in America is going to be very helpful to West Virginia.

We have, in West Virginia, we have the largest per capita economic burden in the country as far as opiate deaths, as you know that. The amount of money, how it was being dispersed out before, was not based on the amount of -- rate of per capita deaths that you had, it was based on population.

And I think Senator Capito and I both have been working on this. So what we need is you working with us, a commitment to work with us to make sure the money is getting to the front line.

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We are -- you know you have a war on drugs. We are the front line, we're on the battlefield everyday and states like us in different parts of the country. Are you all -- have you all recognized that and are you directing the money that come to that areas of need?

AZAR:

Yes, so thank you for that concern and we appreciate the flexibility that this committee and Congress gave us in the omnibus appropriations bill to actually target money toward the highest burdened states on opioids and we will faithfully execute against that.

MANCHIN:

We have a 15 percent set aside but that depends on quickly and -- and -- and how capably you all are able to administrate to make sure it gets to that front line because we're in need; we're very much in need. Thank you, Mr. Chairman.

BLUNT:

Thank you, Senator Manchin. Senator Kennedy.

KENNEDY:

Thank you Mr. Chairman. Mr. Secretary, how are you? How many -- how many people are on Medicaid?

AZAR:

The actual numbers on Medicaid, I -- you know Senator, I -- I want to make sure I've got that exactly -- 70 -- 70 million I'm sorry.

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KENNEDY:

OK, all right. Do you know anybody on Medicaid who is able to work or on any social program who -- who -- who is able to work and by able to work I mean not elderly and not disabled who doesn't want to work?

AZAR:

I certainly hope all would. I hope all would. We -- I view -- I view those to being able to work and working as such a -- when, where one is able. It's such a fundamental aspect of one's own dignity, as well as, we think, healthcare.

KENNEDY:

We can agree with all that. I don't know anybody. I mean, there may be -- I'm not saying there aren't folks out there, but I've never talked to a person on a -- on Medicaid who, who was able to work that didn't appreciate that he or she'd be better off with a job and paying -- and being able to buy their own health insurance.

I've seen numbers that show we have 28 million people on Medicaid who are not elderly and they're not disabled, who could work if they could find a job, but don't work. I've seen numbers that show we spend about $150 billion a year on that subset.

I've seen numbers that say, about 40 percent of those 28 million don't have children. I think part of the problem is that, that many of -- many of these folks, I'm not saying all. I'm, I'm -- I mean, I'm not naive, but many of these folks would like to know the dignity of work, but they need a little help about getting that job.

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Now, the economy is rocking. I think it's because of our tax bill. I know there's some who disagree with that. I don't understand why the administration does not, loudly and aggressively, say, look, the free market, and by that I mean being able to get a job, has done more to lift people out of poverty than all the social programs put together.

And if you don't believe me, I give you China. It's not the communist party that lifted so many of our, our -- the people of China out of poverty. It was because they adopted a form, anyway, of capitalism.

And I don't understand why the administration, and I wish you would take this back to the President because I believe -- think he'll agree with me, doesn't say, look, we don't to throw people out in the cold, but we want to help them understand the dignity of work. It's a win-win. It's better for our fellow Americans to know the dignity of work and it's better for the American taxpayer.

And let's put together an aggressive program that's not optional for the states. My governor doesn't want to do it. My governor -- I believe in more freedom. My governor believes in more free stuff. That's just the way it is. I'm not criticizing him, I'm just describing him.

But put together a program, not to throw people out in the cold, but just to say, look, let us help you get a job. You can keep your benefits, but let us help you get a job. Now, if your children are older, we'll help you get that job. We'll point you in the right direction. We'll help you find a way to get to work. You can -- you've got to do it for 20 hours a week.

You can keep your benefits. You'll feel better about yourself. And let's do it. I appreciate that CMS is willing to grant waivers, but why don't we take the next step? Why don't you take the lead on that?

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AZAR:
Well, I believe the president has led boldly here with the welfare reform executive order, with what we're doing in Medicaid, on committee (ph) engagement...

KENNEDY:
How about if we pass a bill?

AZAR:
And, while we would, we would work with Congress -- SNAP, the SNAP program. The President has wanted work requirements in there, but we've...

KENNEDY:
But they're optional.

AZAR:
And then, even a.

KENNEDY:
It doesn't need to be.

AZAR:
Yes.

KENNEDY:

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Sorry for interrupting, I'm not trying to be rude, I'm really not. But I'm -- we've got -- I see I'm down to 11 seconds.

(LAUGHTER)

We don't need to make it optional and we need you to take the lead and the president -- I mean, the president's kind of busy right now. He's working on a lot of stuff. I'd like you to take the lead and CMS to take the lead and say, we're going to -- this is a win, win and we're not throwing people out in the cold.

We're going to help them know the dignity of work, taxpayers will be better off. They'll be better off. And it's not going to be optional for governors. Sorry, Mr. Chairman.

BLUNT:
Thank you, Senator Kennedy. Senator Murray -- Murphy rather.

MURPHY:
Thank you, very much, Mr. Chairman. I know that Senator Alexander isn't here, but I just want to make a note for the committee and for the Secretary on, the reason why we have the wage differential, I say it because Senator Alexander referenced the difference in payments to Connecticut and to Tennessee.

We're a big country. We have different costs of living. We have different rates of pay from state to state. And that is the reason why Medicaid -- Medicare reimburses slightly differently.

It, of course, results in the average Connecticut taxpayer sending $14,000 to the Federal Treasury and the average Tennessee taxpayer sending about $8,000 to the Federal Treasury. If we are interested in equity and parity, then we'd me more

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than happy to adjust tax rates to send $8,000 to the Federal Treasury instead of $14,000. And if that was the deal, then maybe we'd be happy to accept less in Medicare reimbursement.

But there's a reason why you pay a little bit more for Medicare in Connecticut. That's also the same reason why the Federal Treasury gets a lot more from Connecticut. I point that out for the record.

I want to continue along the line of questioning from Senator Murray, Mr. Secretary, on this campaign of sabotage that has been waged by the administration, driving up rates all across the country.

This is a quote from the head of the largest health insurance company in Maryland, talking about why they are going to be dramatically increasing rates, especially for plans that tend to be used by sicker patients. He attributed these rate increases to the continuing actions on the part of the administration to systemically undermine the market and make it, almost, impossible to carry out our mission.

In making that statement, he talked specifically about a PPO plans which are favored by sicker patients, people with chronic illness. And, in fact, in one of those plans, in the recent rate filing, premiums went up by 90 percent in Maryland.

And so, it gets me to this question of the short term, what we would call the junk plans, the short term plans, and the effect that it will have on the market.

The worry, of course, as you know, is -- and the reason why President Obama moved the time duration down to three months, is that because these plans are not subject to the requirements that you cover people with preexisting conditions the same that you have a minimum standard of benefits, you'd have a migration of

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healthy people to these plans and you'd leave all the sick people, people with preexisting conditions behind.

And I think you're already seeing that in the price increases on the exchanges. And so, that's the reason why the Obama administration said, listen, we're going to make these short term plans actually short term, three months. So, how do you gauge what insurance companies are already predicting?

That there will be a massive migration of healthy people into these short term plans that, you know, are now, effectively, a complementary option to the exchanges, driving rates up for people with preexisting conditions, people who can't -- simply, can't go on those plans if they don't cover everything that they need.

AZAR:
So senator, first, it's great to see you again. And I would say first, the -- it's important remember that what's been proposed, nothing is final, but what has been proposed on the short-term plans is to restore what President Obama had in place until the eve of his retirement from office. So he kept 12 months in place the entirety of his presidency in the program.

It's next important to remember that of the about 10 million people in the individual market, over 82 percent of them, we're buying their insurance for them. They're subsidized. People are not going to be leaving subsidized insurance with the full slate of benefits for these short-term plans.

The individuals that are going to -- that these plans are going to be available for and its going to make sense for are folks who've been left out in the cold by the Affordable Care Act. Now there's 28 million folks who are sitting out there who

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cannot afford these skyrocketing price increases that happened under President Obama in his own plan and we're just trying to make options available.

They're not going to be right for everybody, we're being very transparent about that; but want those as options for those if it makes sense for them.

But what we really have to be working on together, is fixing what is wrong, what's not working here, which is the Affordable Care Act. It's not delivering, the price increases were happening before President Trump, they're continuing. It's not functioning and we want to work together to come up with a -- with a new system.

MURPHY:
It's just not -- with all due respect, it's just not true. It's not functioning even with this deliberate campaign of sabotage, even with the administration cutting the open enrollment period in half, even with the administration stopping to market these plans, even with the administration refusing to pay for the navigators. The same number of people signed up last year that signed up the year before.

I don't think that will continue because at some point, 90 percent price increases are going to force people off no matter how big the subsidies get.

So I'm very worried that Mr. Chairman, about the that the separation of the market into very healthy and very sick as these short-term plans now become the true viable options right next to the exchanges. I look forward to continuing the dialogue. Thank you, Mr. Chairman.

BLUNT:
Thank you, Senator Murphy. Senator Capito.

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CAPITO:

Thank you, Mr. Chairman and thank you, Mr. Secretary for being here. I'd like to follow up on a question that my fellow senator from West Virginia talked about. You and I have talked about this and that is trying to target the 21st Century Cures dollars to the tip of the spear where we have the highest age adjusted mortality rate in the country.

I just want to ask for a clarification because my understanding is when we talked about this, and that the last tranche of money that went out, went out on the on the old formula basis, but the next tranche of money that's coming out in September, October, will have this target adjusted. Could -- could you kind of confirm that for me and maybe explain a little?

AZAR:

Yes, absolutely. Thank you, senator. As I -- as I mentioned to Senator Manchin, we appreciate both -- there's the targeted holdback from the omnibus, I think 15 percent, if I remember correctly, that is deliberately targeted to the highest burdened states.

But in addition, we appreciate the flexibility that Congress gave us now on the remainder of the money that we would put out in September to also, with regard to that money, try to focus it on the highest burdened areas of the -- of the country. But I think on both sides of -- of the fence there, would be our -- would be our goal to target where most needed in the country.

CAPITO:

I think that makes a lot of sense and to those of us in states who are not as highly affected as our states are at the very beginning, if we don't nip this in the bud

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where we are and -- and find best practices, unfortunately, I think it's going to cascade in the numbers that we see in our area.

Another area of concern that I have, we see a lot of money going into this, we see a lot of recovery and treatment and a spectrum of solutions and -- and I welcome all of that, from drug courts to Naloxone to medication- assisted treatment to help with foster families et cetera, et cetera.

I do have in the back of my mind, a -- a concern. And we've seen some news reports where recovery centers have sort of sprouted up without the proper oversight as to what type of treatments being optioned, what kind of recovery programs. In some cases I believe, there was a case where in the treatment program, the person who was in charge of that, or the owner of it, was actually giving these the users more drugs to keep them sort of at bay.

So I don't know where your quality control is on this. Is it more at the state, is it your level? And what you all are doing about that?

AZAR:
So I'm glad you raised that. It's a really important question and that's something that even on the last round of funding that went out, the 400 and I think 95 million dollars that went out just a couple of weeks ago, SAMHSA with Dr. Ellie McCance-Katz imposed conditions there. For instance, that the money could only go to treatment centers that use medication-assisted therapy because we know that works and it ought to be available if the precious money that the Congress has allocated is being spent there.

We're going to keep looking as we move forward to September, again, on best practices, best approaches. We want to be collaborative, but we also want to make

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sure this money doesn't just get spent any which way but goes towards the real approaches that are going to work to help solve this problem.

So exactly the kind of situation you're talking about. The learning process for us, primarily state regulation, but we of course, through the grant process, as we release the money can impose conditions on that on how that should be spent. And as we learn and get input from you and others, what's working and not working and where the risk of abuse, we want to take -- want to take advantage of the opportunity.

CAPITO:
I welcome that. I would also say our local West Virginia -- we have Recovery Place and we also have Rea of Hope that are abstinence treatment, and -- and they have -- and they have some success here and a lot of success. So I -- you know, I -- I think as we -- we just need a quality reassurance that we're not getting pop-ups around to solve a very deep and devastating problem.

The other area of concern for me and in health, and it's such a large area in general, is the Alzheimer's and -- and what we're doing in terms of treatment research, helping caregivers, palliative care, all the things personally touched by this in my own family, as many of us are.

So at from the department's perspective, I know you're doing research, I know you're -- your kind of -- Medicare's trying to help with some of these issues. What perspective can you bring to us today?

AZAR:
Well of course, we've got a comprehensive and deep commitment around Alzheimer's just as you do. At NIH, with the money that this committee

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fortunately allocates to us, I think we're currently sporting over 140 clinical trials. In that space -- I happen to be quite familiar with also.

We need to keep looking in the Medicare and Medicaid space to see ways that again, my theme of not being penny wise pound foolish, are there ways that we can support caregivers and others in nontraditional ways, I think, to ensure that we avoid, perhaps early institutionalization of individuals?

CAPITO:
Right.

AZAR:
And so we're, I'm -- I'm open for whatever -- whatever -- any ideas and best approaches that we can take across the board in addition to research support also in our payment side, how we can help the families who are dealing with this devastating disease.

CAPITO:
All right, thank you. Thank you, Mr. Chairman.

BLUNT:
Thank you, Senator Capito. Senator Schatz.

SCHATZ:
Thank you, Mr. Chairman. Secretary Azar, thank you for the conversation the other day. I want to follow up on it, I want to talk about something rare, something we all agree on, and that is tele-health. You -- you said you're big

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supporter of tele-health. I'm pleased to be able to work with you on the implementation.

We had a -- we still have a bill called the Connect for Health Act, which is bipartisan and bicameral. About half of it was enacted in the last C.R. and so we're going to make good progress in that space lifting certain restrictions around Medicare.

But the kind of the last piece, and for me the Holy Grail, is to give the secretary waiver authority assuming his or her actuaries determine that waving barriers to telehealth around Medicare would pay for themselves.

And so I'd like you to talk about how you would use that waiver authority and how it would expand access and reduce costs.

AZAR:
So, Senator, again thank you for the discussion we had on this and I -- I do think this is a very bipartisan area where we can all get together whether it's in rural health, remote frontier health, or just containing cost and being efficient is -- is the world of telehealth and the biggest challenge of course is our payment systems are sort of frozen in the 1960s so often in Medicare and Medicaid.

Now, in using -- if I were to be given that authority, the probably the single biggest countervailing pressure we have is, of course, integrity, and ensuring the lack -- ensuring program integrity there through telehealth that we don't see abuse.

I mean so many - I think so many of the rules that we have are some bad provider did something and so you put a rule in place. So obviously we have to do it with respect to the taxpayer, program integrity but I would want to be very forward leaning here on implementing any authority to again, penny wise, pound foolish.

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Use telehealth, expand the network of providers, expand the reach of communities, really help in rural and frontier communities, and lower the cost of care. So I'm with you on this one.

SCHATZ:
Thank you. I think reaching veterans, reaching people in rural communities, helping with the opioid crisis, asthma, psychiatric, psychological treatment, all of it can be done through telehealth and I think the transformation in our society is that if 10 years ago you were instructed to interact with your clinician through a device you would be irritated.

And now there is a category of clients or patients who if they are not able to interact with their clinician through a device they are irritated. So this has really -- this is transformational and I know the Chair and Ranking Member are -- are very supportive.

I want to ask you another question. Clearly your philosophy -- not sure if it's fair to call it federalism, but you want to provide maximum flexibility to states in terms of interpreting ACA and other statutes and in terms of configuring the -- the healthcare system that makes most sense either through the state insurance commissioner or through the legislature.

So I want to ask you maybe a ticklish question; a tough one, which is it is one thing to provide flexibility if it is in the -- in the interest of your view of where healthcare should go.

What if a state comes to you and says we want to do a Medicaid public option? What if a state comes to you and says we want to do something that is left-leaning, progressive leaning, more coverage, more government involvement?

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I am assuming because of my brief interactions with you and your reputation that you would provide the same flexibility as it relates to a progressive proposal that you would provide to anything that is designed to, in my view, evade or undermine ACA.

AZAR:

I -- I think you've seen that with -- with our behaviors. For instance, our collaborative approach working with the state of Maryland on their -- on their all-payer program that they've had which, you know some would have a lot of concern depending on ideology but we've tried to work with them if -- to see if they -- it is a model of value-based payment that they - they're approaching and we've tried to be very collaborative in working with them.

We also, in our budget proposal, have a proposal to Congress that we would have -- we would offer up to five states the opportunity to negotiate directly drug pricing through their Medicaid programs to test and see if that can deliver better results than the stature (ph) or rebate programs.

So we try to be open minded. We -- we have certain restraints around Medicaid and Medicare waiver, of course, protecting the public fisc (ph); there are certain budget neutrality requirements that depending on what -- what one wanted to try to do at a state level might also run contrary to -- to that. That might be an outer limit barrier, certainly.

SCHATZ:

And I'll just -- one final question. Tom Price said that repealing the individual man -- mandate will harm the pool and likely have individuals younger -- you know this. You know the quote. It's adverse selection; it will drive costs up. Do you agree with Tom Price? Do you think he misspoke?

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AZAR:
I think he -- my understanding is he backed away from that statement a little bit later but I will tell you my view on the individual mandate which is I -- I -- I really do not believe that it will have a significant impact on our risk pool -- the repeal of that.

We already had 6.7 million Americans paying $3.1 billion of taxes a year; 80 percent of them earning $50,000 or less, because they cannot afford this insurance it doesn't work for them.

I think that people were getting in that pool, as I mentioned earlier, to -- to Senator Murphy are people that we're basically subsidizing access to. It's not the mandate that's gotten the merits that we're basically giving them insurance. That's why they're in there.

SCHATZ:
So you're...

AZAR:
So I don't see - I don't see the premium effect...

SCHATZ:
It just seems you're such a person who relies on data and expertise in so many instances but you are disagreeing with the consensus among actuaries and healthcare experts of exactly what the individual mandate did. But my time has expired.

BLUNT:

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It -- it has. There'll be time for a second round if anybody wants to ask more questions. Senator Moran.

MORAN:
Senator Blunt, thank you. Mr. Secretary, thank you for being here. I'm -- I don't know you as well as I'd like and I look forward to developing a strong relationship. There's so many things within your department that are so important to the citizens I represent and I -- I -- this may be me doing more talking than you and I apologize for that but I want to highlight some things in your budget request that are in my view worthy of my reaction.

First of all, NIH; I will -- the budget that is before us is a $6 billion reduction in NIH funding. I would indicate to my colleagues and certainly to -- to the Ranking Member and Chairman of this committee that we ought to continue our efforts in finding ways to fund NIH at increasing rates and certainly without reductions.

I think we, in a broader sense, I think we as a Congress for a long time have focused on who's going to pay for healthcare as compared to how can we make healthcare less -- less expensive.

The focus is how do we shift unaffordable health care to someone else who it's still unaffordable for? And so it seems to me that the underlying cause of why healthcare is expensive is where we ought to focus and -- and you are doing that and I appreciate that. And NIH, in my view, is one of those things. Not only does it improve people's quality of life and longevity, it's wonderful for families.

But if we can find the delay to onset of Alzheimer's, if we can eliminate cancer, reduce diabetes, all those things have a tremendous cost consequence and we ought to be pursuing them.

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In -- in regard to the CDC, I am -- would -- would advocate for continued funding of the Global Health Fund. One of the things that was said recently in the rescission discussion from OMB was that Ebola --in a sense, they were saying a Ebola has been taken care of; no reports of Ebola.

There were two reports from Congo shortly thereafter, but I also would say that regardless of reports of the Ebola, we need to continue to have the funding necessary for the infrastructure so that we don't start anew.

We don't have the crisis that we had when Ebola arrived, and for -- for us this is not just a problem in -- in Africa or elsewhere in the world; the consequences of Ebola and other highly-contagious deadly diseases has a huge consequence upon Americans and we saw that with Ebola and so I would -- would highlight the importance of not eliminating the infrastructure that's in place to fight these highly dangerous and contagious diseases even though there may not be a report of that particular disease at the moment.

So those two things I wanted to -- to mention. I walked in, not as a Senator Lankford, from Oklahoma, was talking about drug pricing transparency, PBM's.

Senator Capito and I have long been supporters of -- of legislation that requires transparency in the PBM world. I can tell you are legislation is not advanced very rapidly and I would look forward to hearing from you, knowing from you how we can be of assistance to you and your department's effort.

But this issue of rebates that's now front and center; I think maybe our conversation is better had once the announcement from the administration occurs as to what your -- your plan -- what your -- the policies are going to be. But this again is an example of where, if we can find ways to reduce unnecessary cost in healthcare, we can -- and the cost of healthcare, we can reduce the unnecessary cost of healthcare.

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So I applaud the -- the department's efforts in regard to drug reform, and particularly as it relates to the PBM transparency and the rebate issue. I am encouraged.

You and I visited on the phone, just as now last week. I -- I would highlight for you once again the importance of the 340B program. Our hospitals from our largest and our most urban settings to our critical access hospitals, all of them are fragile.

This is a funding source that helps the patient as well as the provider, and in your alterations, if there are any of 340B, I guess we're now waiting on the courts to tell us some direction -- provide us some direction, but I would highlight the importance of this 340B program. There are 127 critical access hospitals -- I said that wrong, excuse me. There are 127 hospitals in Kansas; 80-some of them are critical access hospitals. Almost without exception, it's hanging on by a thread, and any alteration in their reimbursement rate means that there is going to be less access to healthcare in rural places in particular.

But in urban places as well, in particular, the core center of urban centers. And we have both in Kansas from -- from Johnson County as our suburbs of -- of Kansas City; one of the smallest towns in our state is Johnson City. So from east to west, this is a huge issue. It highlights for me -- I didn't realize when sequestration was passed, that we had across-the-board cuts as they affected critical access hospitals. I thought sequestration would not apply to critical access hospitals.

I didn't vote for sequestration, but as a -- as a bad policy, it's the wrong way to approach to the appropriations process. But I would never have thought that we would reduce across-the-board funding that affects critical access hospitals that are to be paid cost basis. And it is -- this 2 percent across-the-board cut -- we need

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-- my view, my colleagues and I need make sure that this is not extended even further and look for opportunities for its demise.

Perhaps the last -- the only last point I would make, Mr. Chairman is tribal labor sovereignty. The words I used. Your CMS, Center for Medicare and Medicaid Services has taken upon themselves to declare Native Americans to be classified -- should be classified as a racial group rather than a citizen -- as citizens of a tribe.

I think you're wrong. I think tribes should be treated -- as -- they deserve the sovereignty that they are entitled to by our Constitution and our long-standing understanding that tribes are governmental, not racial. And I hope that CMS will take a look at that issue once again on behalf of the tribes.

Thank you for answering all my questions and at least I could say thank you for listening to my comments.

(LAUGHTER)

AZAR:
If -- if -- if I might, Mr. Chairman. We did just earlier this week revise that guidance on CMS, so we'll be happy to get...

MORAN:
In regard to tribes?

AZAR:
With regard to the community engagement and if you are talking about the community engagement participation states that have received those waivers and

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tribal connectivity to that. We have actually issued modified guidance on that this week.

MORAN:
I'll take a look, thank you very much.

BLUNT:
Thank you, Senator Moran. Senator Baldwin.

BALDWIN:
Thank you, Mr. Chairman. Welcome, Secretary Azar. I'm going to start the issue of the high-price of prescription drugs. So reports show last year that the pharmaceutical industries spent over $170 million in lobbying, deploying over 880 lobbyists to influence Washington policymakers.

This investment paid off for their CEOs and shareholders. As first-quarter earnings saw seven of the largest drug companies in aggregate receiving $12.1 billion in profits. This is since the beginning of this year.

Meanwhile, large drug corporations received a tax cut from the Republican tax bill and have spent a combined $50 billion on new stock buybacks and enriched shareholders and executives while still continuing to increase prices on existing drugs.

Now, I understand that the president will be outlining a plan to address drug prices; we've been anticipating it since his big announcement at the State of the Union Address, and I am very interested in hearing what will be included.

At your confirmation hearing before the HELP committee, we had an exchange on this issue of the ever increasing price of particular prescription drugs. And you

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blamed, and I quote, "the system," for the rising cost of prescription drugs. But you never singled out the role that drug corporations play in this system.

So I want to know whether the administration's plan is going to include actions that hold drug companies specifically accountable for their role in setting the price of drugs and increasing the price of drugs. Yes or no?

AZAR:
Yes it will.

BALDWIN:
OK.

AZAR:
All -- all players will be impacted. We're -- as I said, it's a systemic issue which requires a systemic multifactorial solution; that's what the president will be rolling out tomorrow. Absolutely.

BALDWIN:
And one of the things -- I sent a letter with Senator McCain to the president, asking that he look at and support our Fair Drug Pricing Act. That requires basic transparency for drug companies when they plan to increase the price of their drugs.

Will a component of the president's plan be a call for basic transparency for drug corporations, particularly, across that system generally?

AZAR:

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Senator, I'm sure you'll understand that I -- I'm not in a position to preempt the President of the United States tomorrow by saying what he will and won't announce.

So I -- I -- if -- I apologize, but happy to get back to you after that and discussed the issue of transparency, but in terms of any particulars of the president's announcement, I -- I'm afraid I do need to demure until tomorrow. My apologies though.

BALDWIN:
Well then we will follow up on that. I -- I -- I think for us as policymakers, that's one of the most key aspects and certainly as the advocate on behalf of our constituents.

I want to turn to the issue of the, the short term health plans. During the partisan repeal debate, last year, thousands and thousands of Wisconsinites called on Washington to protect their care.

The administration, in my opinion, continues to undermine and sabotage the Affordable Care Act and create more instability in the marketplace. There's a -- what I view as a pretty radical proposal to expand the ability of companies to sell these skimpy, short term health plans that don't include basic consumer protections that are required, of course, in participation in the Affordable Care Act.

Particularly, things like preexisting condition coverage. And they exclude basic health benefits like maternity care or substance abuse treatment. I think some of my colleagues know that when I was a child, I was branded with the label preexisting condition after a childhood illness and my family couldn't find a health plan that would cover me.

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Your plan would take us back to those days by allowing more junk plans and for longer periods of time. One of those plans sold in Wisconsin, today, excludes coverage for preexisting conditions and refuses to cover non-emergency hospital services on the weekend.

Do you believe that insurance companies should be allowed to deny coverage or charge more for those with preexisting conditions?

AZAR:
So, these plans, which are only a compensation for the failure of the Affordable Care Act markets for those -- for whom it's not working, the 28 million people who do not have insurance because they've been shut out of that market, they can't afford what's there.

We're trying to bring back something that President Obama had, which are the short-term plans that people need to go in with their eyes open. They are not right for everybody. They will help in transitional cases. They might be available for those who cannot afford -- afford care.

We're trying to just make more options available there, the Labor Department with association...

BALDWIN:
But you make them...

AZAR:
...health plans.

BALDWIN:

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...from three months to...

AZAR:
To 12, exactly what President Obama had for the - for up until the eve of the end of his presidency, 12 months is what the proposal is. To just - to restore what President Obama had the entirety of his presidency.

BALDWIN:
So, this is, right now, three months?

AZAR:
Three months, he changed in October of 2016, reverted it to put it back to three rather than 12. It's an option. It's not meant to be the be all, end all. It's just - we're trying to help those forgotten men and women who are sitting there with any options we can make available to them.

BALDWIN:
Why don't you add a requirement that those cover preexisting conditions?

AZAR:
Well, if we -- if we start making them the equivalent of the Affordable Care Act, we'll end up with the same pricing regimes. It'd be replicating that.

We just want to make other options available for those -- for them to make sense. And, again, be -- we're being very transparent. These will not make sense, necessarily, for all people. It's for folks, for whom it makes sense, we want to have options available and let them choose.

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BLUNT:
Thank you, Mr. Secretary. Thank you, Senator Baldwin. Senator Hyde-Smith.

HYDE-SMITH:
Thank you, Mr. Chairman and thank you, Secretary Azar, for testifying today. I'm from Brookhaven, a small town in south west Mississippi. And so, I'm well aware the challenges that a rural state presents in healthcare.

But I was pleased to learn that the CMS recently released the agency's very first rural health strategy, intended to improve the quality of life for Medicare benefits who live in rural areas.

So I thank you for working to ensure that the voices of rural patients and healthcare providers are heard and when your department considers payment policies and regulations, that also -- that consideration.

Secretary Azar, can you discuss, further, how your fiscal year 2019 budget request will support health in rural America?

AZAR:
Thank you, very much, Senator. And it was a pleasure to meet you over the phone, thank you for that.

First, the budget has $5.1 billion for community health centers. And the community health centers serve 1 in 12 Americans around the country, but, in particular, 86 million patients, one in six, living in rural areas.

So our bipartisan support for the community health center program is, of course, vital to healthcare in the rural communities. We also, with the opioid epidemic,

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we've added something very novel in here, which is a $150 million program for, for opioid treatment focused in rural areas.

And then, of course, we have the program that you, you mentioned, that we've just laid out, the CMS rural health agenda and that's to - we have programs there, for instance, that would allow Medicare Advantage programs to deliver, deliver telehealth services and other services in a rural area, more economically.

I also want to look, if you or others can identify, where we have barriers in our payment regimes or regulations that impede alternative or innovative methods of care delivers, in a rural setting.

You know, we know the issue in Mississippi of rural hospitals suffering and closing. Maybe traditional hospital models aren't the best way to deliver care or economically feasible. Are we getting in the way of the creativity of new models for delivering the kind of care that's needed in those communities?

HYDE-SMITH:
Thank you. Also, rural America has 20 percent of the population and 9 percent of physicians. And when I was in Mississippi legislature, we worked to establish the Mississippi Rural Physician Scholarship programs, to help the shortage of physicians in the rural areas in the state and it was a great benefit. We're still reaping those benefits today.

But how does your budget request support the physician workforce in rural places like Mississippi?

AZAR:
So, what we've tried to do is prioritize the programs that we believe work the best, especially, in getting providers to go to underserved areas. And those are the

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scholarship and tuition reimbursement programs. As you look at, say, the HRSA budget, our focus there is direct service care delivery, and then, workforce training that is based on scholarship and tuition reimbursement.

We just find that those programs deliver health professionals and they, also, have service obligations connected to them that help us get people into remote areas, underserved areas, to be able to deliver, as opposed to the program that we have that are, for instance, just more subsidy payments to institutions. The individual targeted ones, we think there's decades of, of evidence that show that those really do work and deliver. And we want to focus in that space.

HYDE-SMITH:
Great, thank you.

BLUNT:
Thank you, Senator Hyde-Smith. Senator Merkley.

MERKLEY:
Thank you, very much. I want to follow up on that question about physician and shortage because it seems like we're all competing everywhere, our rural areas, our Veterans Administration, as so many practitioners are baby boomers and retiring. And so many else are baby boomers and we need more healthcare.

So, I -- in that context, I was, somewhat, surprised at the $48 million cut to graduate medical education. And also, on the, the nursing program, $145 million cut for nursing workforce development.

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All I'm hearing from my medical community is we need to train more doctors and more nurses and more P.A.s and -- so, why does it make sense to cut these programs?

AZAR:
So with regard to the second program that you mentioned, the nursing program, that would -- that would get to the comment I was just making around the types of programs. The -- the ones that support scholarship tuition reimbursement that are individually focused, we think really can deliver.

The institutional subsidization ones, we -- in a scarce environment, we think are less effective.

In terms of graduate medical education, what we've proposed is to combine the children's graduate medical education, Medicare and Medicaid graduate medical education into a single program funded by general fund revenue rather than focused on Medicare and Medicaid, because of course we all benefit from -- from the training of these physicians, nurses to the GME program.

And then allowing us to give us -- right now we're frozen in 1996. This would give us flexibility to actually target specialties as well as areas that most need GME training.

MERKLEY:
So because I have so little time, I'm going to cut you off there and -- and -- and just note that it appears that even when those are added together, there is less money for physician training and there's a lot less money for nurse training.

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And while providing grants to go to rural areas is something that benefits my rural areas, it doesn't increase the overall numbers, and that is the core problem; so -- every -- otherwise everyone is just competing for a pool that's way too small.

Let me turn to hepatitis B and C. This is have hepatitis awareness month. I'm just going to keep this very short. There's been a big increase in hepatitis B and C. Are you aware of it and will you support helping to take on this issue, as we're here in this month when attention is supposed be focused on it?

AZAR:
Absolutely.

MERKLEY:
Thank you.

AZAR:
So much of it's connected to this opioid epidemic. So we look forward to working with you on that.

MERKLEY:
It is very connected, absolutely.

When you talked about the -- the junk plans, you said, well it's nice to provide as many options to people as -- as possible, let them choose their option. But why not let people choose Medicare as an option. Because Senator Chris Murphy and I, and several my colleagues have introduced a bill that says let people choose a Medicare bill, a Medicare policy if they want a public option.

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We created a public option in Oregon under workers comp that cut the cost in half. Rhode Island copied Oregon's model with the public option, cut the cost of care in half. So under your philosophy, why not allow a choose Medicare option?

AZAR:
The challenge with -- with the Medicare for all type approach is that it -- we already have sustainability issues for senior citizens and Medicare...

MERKLEY:
OK, I'm just going to cut you off there because this is a program separate from the existing pool for Medicare. This would be this be Medicare part E, and it spends the money people spent on an exchange, but lets them choose a better organized option that competes with the regular insurance options.

If you're really for competition, why not support a public option? I certainly think that the citizens would overwhelmingly -- we see this in polling -- overwhelmingly would like to see that they could have this choice on the exchange or enable their employers to be able to choose this.

AZAR:
You're not going to be able to afford Medicare without a subsidy, and that would undermine already the fiscal sustainability of Medicare. We still (ph) highly subsidize...

MERKLEY:
We'll just stop there because you obviously haven't read the bill or you wouldn't say that because this is a standalone competition on a level playing field, parallel to the way we do it in Oregon for workers compensation.

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Take a look at it. Look for things that are market-based that actually work, rather than undermining Medicare for all citizens across this country as embedded in your current budget.

And speaking of that, the Medicaid block grant strategy that you've laid out based on Graham-Cassidy, this would cut about $2,500 per recipient, in Oregon. We have one of the lowest uninsured rates in the country and you just refer to your concern about those who don't have insurance. We have a very low rate, because we really actively work on Medicaid expansion.

And it's helped everyone in rural Oregon and urban, because the uncompensated care has dropped dramatically, meaning our clinics are thriving, or least doing far better than in states that did not expand Medicaid.

I was just in a state that had three rural hospitals shut down because they didn't expand Medicaid and they didn't have the finances to go forward. So why go to a program that will produce the closing of rural clinics and rural hospitals desperately needed across America?

AZAR:
So the Affordable Care Act Medicaid expansion as it is, is an open-ended entitlement that is not going to be sustainable for us as taxpayers or for government in the future. And what we try to do is focus that on the individuals who now, there is a significant disincentive towards the children, disabled, and the age in (ph) Medicaid towards able-bodied adults through the expansion.

Just it's -- its financial -- its basic math in terms of the incentive structure of how the Affordable Care Act was structured. So we're trying to put Medicaid on a more sustainable path forward for taxpayers and for the future of the program.

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MERKLEY:

Sustainable means cutting healthcare for poor people and damaging rural America, and that's just...

BLUNT:

Thank you, Senator Merkley. If you want to have a second round of questions, we'll have those. Senator Rubio.

RUBIO:

Thank you. Thank you, Mr. Secretary, for being here today. We had a chance to briefly talk about this; I wanted to explore it further with you.

So there's a program that China has undertaken called Made in China 2025. The plan is to dominate the 10 biggest technologies of the future. One of those 10 is the pharmaceutical industry, in particular bio pharma; in fact, was the second largest investment in China last year.

And the way they do, it is twofold. One is they block off their own market to foreign competition and they do this in other industries; they're doing it now with bio pharma.

But the other is frankly, they just steal intellectual property. And they do that through a number of methods. The foreign domestic partnerships they require, if you go do the pharmaceutical industry, but go do business in China, you have to partner with one of their companies, they have a track record of stealing intellectual property.

Obviously if you're not paying for the research and they're benefiting from it, that's an incredible -- not just is it unfair and illegal, it's an incredible advantage.

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The other is they buy small companies, including here domestically that have key research components of other industries; we should anticipate the same pharmaceuticals. And the third, frankly, the just steal it. They break into the computer through a cyber attack, they buy a business, they -- or they go out to the researchers.

And that's the part that I am most concerned about is, you know, we spend a lot of money and through NIH, to fund biomedical research and a lot of that is done through universities. And I am concerned about that because universities are soft targets, and they're soft targets for two reasons.

First, universities don't think this way. They operate in collaborative environments with other people, and -- and they're not used to sort of an adversarial set up that this proposes. But the other is I wonder whether they have the systems set up to protect themselves for intellectual property theft.

And that can be ranging from cyber all the way to actually being able to identify individuals and partners they're working with who ultimately are really just transferring intellectual property back to a Chinese company or the Chinese government to give them a competitive advantage.

And I would just say that if their growth in this field advances or being driven by greater -- better renovation, more investment all these sorts of things, then it would be on us to become more innovative and invest more. But when a significant part of their advances on technology in general, biomedicine in particular is driven by intellectual property theft, well, we've got deep concerns.

I also believe that this has significant national security implications for our country. I challenge people to think for a moment what the world would look like if the latest, greatest cures for diseases, including -- or potentially things like Alzheimer's that are going to have very significant impact on our budgets for

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years to come, were controlled by China, the amount of leverage that would provide them geopolitically and the like.

So I was curious whether anyone at the agency is thinking about this, thinking about how to protect our research, knowing that this industry is a target of a nation with a long track record of stealing intellectual property?

AZAR:
Senator, thank you very much for raising and highlighting what is a very important issue. It is one that is on our radar. It is one we're working, and I would be happy to work with you off-line also in the appropriate settings to discuss -- to discuss this with you. I -- I think you have -- you have hit on a really quite important issue.

RUBIO:
All right. The second question is more local and it has to do with the preparedness. During the 2017 hurricane season, my office at one point became many ways a triage center, largely centered on getting federal agencies to communicate with each other and -- and states; this was particularly problematic in -- in Puerto Rico where there were delays in getting supplies and HHS medical teams to the island.

I want to say there are multiple occasions in which FEMA or the Department of Defense caused delays in being able to get HHS applies to Puerto Rico. FEMA took days to approve flights for HHS medical teams and some medical supplies. They took a week to -- the DOD took a week to respond to the initial request for medical teams to Puerto Rico.

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Have we learned any lessons from Puerto Rico from the hurricanes in 2017? Because I think this has applicability, not just entering hurricane season now, but I think this has applicability for you know, natural disasters in the future or quite frankly, biological attacks or any other sort of mass public health threat we might face.

AZAR:
No, again, thank you for raising what are -- what is an issue very much on my radar. We actually just had a session with DOD and other agents -- interagency partners on lessons learned from last season preparing for this with a focus in particular on transportation resources and our ability to deploy because of course we're often dependent on others for transport.

And so there is there is a major focus on lessons learned from the unprecedented cycle of hurricanes that really taxed, of course our system, and I'm -- I'm hopeful that we have systems worked out better and connectivity even better to make sure we serve our people well.

BLUNT:
Senator Shaheen. Thank you, Senator Rubio.

SHAHEEN:
Thank you, Mr. Chairman. Andm Mr. Secretary, thank you for taking time to speak with me yesterday. I appreciated the call and the conversation. And as I told you, one of the biggest challenges we are grappling with in New Hampshire is the opioid epidemic and how to respond to that.

And I have been very concerned about making sure that those small states like New Hampshire, like West Virginia -- I understand Senators Capito and Manchin

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ask about this -- are able to get help because of the overdose rate, not just based on a population, but because of that high overdose death rate.

New Hampshire ranks third in the country right now, first when it comes to fentanyl overdoses, that we have additional impacts that are not felt in some of the bigger states.

So I am hoping that you will commit to working with me to ensure, and with the committee, to ensure that those states that are hardest hit by the epidemic because of not just in terms of population, but based on overdose death rate, will get some additional assistance to help us.

AZAR:
And thank you for raising this important issue and thank you for your leadership and the committee's work on this because it -- it has been a concern of ours and we -- we have heard that.

And in the coming grant cycle coming out of the on the omnibus, not only did -- did the Congress give us a 15 percent, I believe, set aside for the heart -- hardest hit states, but in addition, has given us the flexibility which we intend to use on the remainder of our grant programs to also target those based on -- based on the -- the burden of this crisis.

SHAHEEN:
And do you have any sense of when the decision will be made about that $142 million, which is the set aside?

AZAR:

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I -- so on -- I know generally the next round is expected in September to -- to get out in September. I don't know if on the set aside amount if that's on a different timeline. I -- I'd be happy to get back to you on that.

SHAHEEN:
Thank you. We also talked about drug pricing, which I think is a huge issue. It's not just an issue for families who can't afford drugs, particularly senior citizens but also in terms of driving up the cost of healthcare.

And one of the issues that I'm most concerned about having with -- having attended the Aging Committee hearing on the cost of insulin is what's happening with the price of insulin. And I've got -- I don't know if you can see this, you can probably just see the trajectory of pricing.

But this is insulin prices, this line. And we should have had it blown up. Mr. Chairman, can I enter in -- ask that this be entered into the record?

BLUNT:
Without objection.

SHAHEEN:
But what it shows is that these insulin prices started going up dramatically in 2003, after we passed Medicare Part D. So clearly there is -- or I believe there's a -- a correlation between what's happening with the cost of insulin and I'm sure other drug prices, and our failure to negotiate with pharmaceutical companies.

But can you talk about what you can do at HHS to help address the cost of insulin? Which is not an option for people who need it, it's life or death.

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AZAR:
So I -- I'd like to if I could speak generally about what we need to do around the drug -- drug issue; first, in the budget proposal that we have in this F.Y. '19 budget. We actually have a five part plan that we would propose to Congress around restructuring many elements of the successful Part D drug program.

But taking learnings from the last 15 years and I think you've highlighted one, which is the incentives in the system towards higher list price. Given that we as taxpayers sit at that -- what's called the catastrophic period.

At the end there, if the drug through its list price can march on through there and get to the catastrophic period, we the taxpayers bear 80 percent of that cost. And the drug plan only bears 15 percent of that. We've proposed to Congress to flip that around to give those drug plans more of an incentive to cram down those list prices.

So that -- that's an important part of what we're driving towards. And of course tomorrow the President will lay out even more focus on these issues of these list prices that you have so rightly raised.

SHAHEEN:
Well thank you. I appreciate that and look forward to hearing the announcement. HHS recently issued a funding opportunity announcement for Title 10 family planning grant dollars, that really alters the focus from selection of grantees, who have focused on contraceptive care, towards abstinence-only approaches.

Now we have the lowest teen pregnancy rate ever in this country's history right now. And most of the data that I've seen indicates that's because we have focused

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on contraceptive care, on access to reproductive healthcare for not just young people, but for everyone.

So I don't understand why we are fooling around with something that's been working to address the issue of unplanned pregnancy, in particular teen pregnancy. In -- to focus on an approach that, in all of the data that I've seen, shows doesn't work.

AZAR:
So Senator, in the funding announcement that we did there, the intention was to comply with the statutes mandate that we -- a broad range of family planning services. So not just contraception, but natural family planning, which is in fact called out expressly in the statute.

So not meant to favor one over the other, but ensure the broad range of availability, streamline our grant making processes to make it more efficient. So that -- the intention there is a broad range of providers, as well as serve the full range of services that Title 10 asks us to provide.

SHAHEEN:
Thank you. I have a follow up, but I'll do that for the record. Thank you, Mr. Chairman.

BLUNT:
Thank you Senator Shaheen. If you want to -- if you want to ask your question in a second -- well go ahead and ask it right now.

SHAHEEN:

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Well I just again -- did I -- do I misunderstand when I look at this funding opportunity announcement and as I said, my interpretation is that it focuses more on abstinence-only approaches. Do I misunderstand what it's doing?

AZAR:
It offers -- it -- it offers natural family planning as -- as -- as one part of comprehensive or the broad range of family planning, but doesn't set aside -- I don't -- I don't believe does any set aside or preference one over the other, but rather has the full range of availability and says that if a provider wishes to provide in the one category, they can.

But there's nothing that says one is -- is disadvantaged by providing in the -- in the non-natural family planning, the contraceptive type arena.

So I -- I think it's meant to -- meant to encourage the broad range, which is exactly the language of Title 10, the broad range of family planning services. So I believe it's meant to be ecumenical agnostic.

BLUNT:
I -- I think there will be follow up questions obviously for the record. Let me -- let me mention a handful of them that I'm just going to be asking, to be sure both you and our staff knows I want to ask these questions -- at least there will be other questions to be asked.

I would -- I would suggest, and I believe our communication has gotten better under your leadership. I think it can always be better and hopefully we continue to do that.

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On the unaccompanied children issue, I think we are -- I'm -- I'm not comfortable with that. What we know from the department, so if you can help us with that so we can have a little more ability to think about that and plan that.

We'll be asking a question about the -- the recovery audits. I know the U.S. District Court recently ruled that HHS needs to pay the people that have a backload of -- log of claims by 2021, particularly for small hospitals and rural hospitals, generally, that can't afford to have a staff of -- of auditors and lawyers to fight these -- the -- the -- the longer they stay in this line and don't get their issue decided, the more challenging it is for them. I know your budget request an additional $70 million for this purpose.

I guess one of the questions will be do you think that actually meets the court deadline that by the end of 2020, everybody currently in this long list of recovery audits is going to have their situation dealt with?

Also, on the mental health side, I would hope that you continue to look at excellence in mental health, this eight state (ph) pilot, and determine how that can become, if the pilot produces what I believe it will, how that can become a part of our future policy and our future funding for treating mental health, like all other health.

We have a new investment of $100 million -- $100 million for behavioral health clinics, to provide treatment for Americans that suffer on a -- on a clinic and community basis, where they can ask for their -- for part of that $100 million. That's a new -- new program. But we'll be asking to see if that program is working.

On the -- another topic of transferring things to NIH. I would just say one of us is not understanding the discussion here. We had the same request to transfer a

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bunch of things like National Institute of Occupational Safety and Health, the National Institute of Independent Living and Rehabilitation Research to NIH.

It's been the view of the committee that they have enough to do, and that's a priority, and those things bog them down. We -- we probably need to be sure we understand your argument on that. It's the second time you've made it. If you really want to -- Let's -- let's see that we have -- give you a chance to make that case. And so for me, the committee, you'll get those and other questions.

Senator Murray?

MURRAY:
Yeah, thank you very much, Mr. Chairman. Let me just make comments on two things, and I do have one more question for you.

On the Teen Pregnancy Prevention Program Senator Shaheen referenced, I -- I was actually on Washington State a couple weeks ago, and I spoke to the director of the King County Public Health Department. They operate a program called FLASH. It's the Family Life and Sexual Health Program. It was one of the previous TPP grantors -- grantees whose funding was terminated by your office in the middle of their five-year grant. And my understanding is that widespread use of the FLASH curriculum has had really great results.

The teen birthrate in King County fell by 63 percent since 2008, and despite that, your -- your office terminated it. And I -- I just want you to know, you're effectively throwing away really valuable data that these grantees have collected over the past three years, that could really help us inform pregnancy prevent -- prevention.

And actually, I want you to know, too, that the bipartisan Commission on Evidence-Based Policymaking, which is -- was established, actually, by myself

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and Speaker Paul Ryan, highlighted the TPP program, Teen Pregnancy Prevention, as an example of a federal program developing increasingly-rigorous portfolios of evidence.

So I know this is the subject of litigation right now, in terms of our grantee, but I -- and you can't comment, but I will continue to follow this, and -- and I'm really concerned we're throwing away valuable resource with the changes you've proposed.

The other issue I just want to highlight for you is maternal mortality. I am really troubled that greater proportions of women in this country are now dying of pregnancy-related complications, more than any other developed country in the world, and we are -- and the U.S. is the only country where the rate of these deaths has been rising.

That is really troubling to me and it -- it's just so critical that we improve systems of maternity care, including both clinical and public health systems. We've got to work on eliminating this really preventable maternal mortality and severe morbidity -- morbidity rates that we're seeing across the country. So I will be talking with you about that.

And then one -- I do have one final question, and that is on gun violence research. Last time you and I spoke on that we talked about the Centers for Disease Control and Prevention re-engaging in gun violence research. And I -- I've spoken with Dr. Redfield, new CDC director, about that.

And since then, Kaiser Permanente actually announced it's -- it was -- invest $2 million to start working on this issue, along with a group of seven bipartisan governors who launched a consortium to study it. And that just reinforced, for me, it's time for CDC to return to do the same.

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And Dr. Redfield actually had the best quote. He said, "Science-based, data-driven agents, they -- The CDC is the science -- best science-based, data-driven agency in the world. We should be using them." So I wanted to ask you, do you intend to -- Well, actually, can you -- can you -- you -- reprogram or transfer funds today from HHS to CDC to begin this work?

AZAR:
I don't know about that, but I've spoken with Dr. Redfield, as I had previously with Dr. Shulka (ph), to make clear our understanding of the Dickey Amendment, which is that we're not prevented from using appropriated funds, if we were appropriated funds, for research on violence, including gun violence research.

We -- we do that at NIH today. We've got ongoing programs and past programs on violence and gun violence research at NIH, as you know, because you appropriate the money.

NIH's pools of money are much more fluid and open for peer review funding of programs.

MURRAY:
OK, my -- my question...

AZAR:
But CDC is not that way.

MURRAY:
Yeah.

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AZAR:

We were very directed in where the money goes there.

MURRAY:

But can't you reprogram -- If this is a priority for you, I believe that you can reprogram or transfer funds directly for this research.

AZAR:

I'm -- I'm -- I'm not aware. I'd have to look into that.

MURRAY:

OK, if you could do that and get back to me.

AZAR:

Yeah, will do.

MURRAY:

Or -- or I'll ask you, are you intending to include gun violence research funding in your next budget submission?

AZAR:

That -- that would be a matter between the department and OMB on the budget submission, so I -- I couldn't comment on where the -- where -- where we will be as an administration on the funding.

MURRAY:

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Well, as secretary, would you be willing to ask for that in the next budget?

AZAR:

Again, I -- I -- I cannot reveal my deliberative work with the -- with the -- with the White House on that.

MURRAY:

OK, so let me just say, would you please look at that as a budget (ph) priority?

AZAR:

I'd absolutely appreciate your concern there.

(LAUGHTER)

MURRAY:

Thank you.

BLUNT:

Thank you, Senator Murray. The record will -- and thank you, Mr. Secretary, for -- for being here. The record will stay open for one week for additional questions, and the subcommittee will stand in recess.

List of Panel Members and Witnesses

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SEN. JERRY MORAN, R-KAN.

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HHS SECRETARY ALEX AZAR TESTIFIES

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Committee on Appropriations
Subcommittee on Labor, Health and Human Services, Education and Related Agencies

Hearing on the Fiscal Year 2019 Budget Request from the U.S. Department of Health and Human Services
May 10, 2018

Questions Subcommittee for the Record

Questions from Sen. Roy Blunt:

National Institute of Health

Last year, the budget proposed moving the Agency for Healthcare Research and Quality to the NIH. That proposal was rejected. This year, the budget once again proposes this move, as well as also moving the National Institute of Occupational Safety and Health and the National Institute of Independent Living and Rehabilitation Research to NIH. I am concerned that the addition of these new Institutes takes NIH out of its defined role as a biomedical research agency. The budget proposal appears to have taken any "research" related organization and moved it to the NIH. I do not think that is in the best interest of NIH.

Blunt Q1: ***What is the goal of these moves?***

Response: The goal of consolidating targeted research programs from across HHS – AHRQ/NIRSQ, NIOSH (from CDC), NIDILRR (from ACL) - into NIH is to focus resources on the highest priority research so these programs benefit from the NIH research infrastructure, which we anticipate will improve coordination and outcomes. NIH will continue to implement strategies to increase operational efficiencies and administrative reforms.

Blunt Q1A: ***What are the benefits to NIH in adding these new centers?***

Response: The FY 2019 Budget proposes consolidating HHS research programs into three new institutes within the NIH. The Budget provides $256 million for the activities of the Agency for Healthcare Research and Quality (AHRQ), consolidated into the National Institute for Research on Safety and Quality. The National Institute for Occupational Safety and Health (NIOSH), including the Energy Employees Occupational Illness Program (EEOCIPA), currently administered by the Centers for Disease Control and Prevention, and the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR), currently administered by the Administration for Community Living, are also proposed for consolidation into the NIH.

Consolidating targeted research programs from across HHS – AHRQ/NIRSQ, NIOSH, NIDILRR - into NIH allows high priority research programs to benefit from focused resources and NIH research infrastructure, which we anticipate will improve coordination and outcomes.

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NIH will continue to implement strategies to increase operational efficiencies and administrative reforms.

Unaccompanied Alien Children Program

Blunt Q2: The Department of Justice recently announced it would criminally prosecute all undocumented individuals apprehended attempting to enter the country illegally between points of entry. ***How many children does the Administration expect will be referred to HHS as a result of this policy change?***

Response: HHS is closely working with our DHS partners to anticipate and plan for the potential number of unaccompanied alien children (UAC) referrals and their length of stay in our care. Historically, the timing and number of UAC referred to HHS each year for care and custody has been difficult to predict with any certainty and we assess need for capacity growth or decline on an ongoing basis.

Blunt Q2A: ***What if any preparations has HHS made to properly care for additional children referred to them as a result of this policy change?***

Response: When there are concerns about having adequate capacity to receive referrals of unaccompanied alien children, HHS seeks out additional bed space to meet increased demand. HHS first expands the number of beds available with existing state licensed grantee care provider facilities. If necessary, HHS seeks bed space with a state licensed facility that is not currently housing UAC. In the event of an influx, defined as a period where the number of UACs exceeds the standard capabilities of federal agencies to process, transport, or shelter with existing resources, HHS may open a temporary emergency shelter, which we call an Influx Care Facility. During recent months, HHS has taken all of these steps, adding over 2,300 beds since early May by increasing bed capacity at permanent grantee shelters, expanding the temporary shelter in Homestead, FL, and seeking additional capacity at a temporary influx site.

Blunt Q3: HHS and DHS recently signed a Memorandum of Agreement (MOA) modifying existing data collection and sharing procedures related to reviewing the suitability of potential sponsors. DHS also recently issued a proposed regulation on the same issue. ***How does HHS expect this MOA to impact HHS' administration of the UAC program?***

Response: Some changes will be made related to information gathering and sharing to implement the MOA between HHS and DHS. HHS has created new policies and procedures as a result. We will receive from DHS more detailed information about UAC that will enable HHS to better respond to gang affiliation. We also believe that the partnership with DHS will enable HHS to conduct improved background checks of potential sponsors to support our efforts to ensure the well-being of UAC when they are released from our care.

Blunt 3A: ***Does HHS expect this will increase the length of time children are in HHS' custody?***

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Response: The implementation of the MOA is still in the early stages, so its impact on the length of time children are in HHS' custody is unclear at this time. If the length-of-stay did increase, one factor would be the result of HHS receiving more comprehensive information related to ensuring sponsor suitability and the safety of UACs.

Blunt Q3B: ***Regarding both policy changes described above, does HHS have any revised estimates of funding needs for the UAC program in FY2018 or FY2019, relative to FY2018 enacted appropriations and the FY2019 budget request?***

Response: HHS is closely monitoring its shelter capacity needs in coordination with our interagency partners, evaluating its resource needs and, if necessary, will seek to maximize currently available resources and authorities. As always, we will continue to work with Congress as we learn more.

Coldwater Creek

The community in St. Louis, particularly those near the Coldwater Creek area, have been waiting for a report to be released by the Agency for Toxic Substances and Disease Registry. This report will assess whether hazardous materials such as radioactive waste and other chemicals have migrated from storage sites into the Coldwater Creek area. ATSDR originally expected to file a final assessment in 2016, but have yet to receive a report. I am concerned this report is 2 years delayed and want to ensure it is provided quickly.

Blunt Q4: ***Will HHS commit to issuing this report this summer?***

Response: HHS is committed to releasing the report on Coldwater Creek as soon as we can practically do so. The report currently in the final stages of scientific review with CDC/ATSDR's standard process. ATSDR has been working closely with the community in St. Louis to inform them of its work to assess exposures to radiation contamination at Coldwater Creek. We recognize the importance of the assessment to the community members and we want to make sure it is as accurate and thorough as possible. The report will be posted on the ATSDR website for comment once it has completed the scientific clearance process.

Medicare Appeals

Blunt Q5: HHS has been working for years to reduce the backlog of Medicare appeals, but continues to project a backlog of over 500,000 appeals. ***What will be the impact of the additional $75 million provided in the FY2018 Omnibus?***

Response: The additional $75 million provided in the FY 2018 Omnibus will help OMHA expand its adjudication capacity by acquiring additional ALJ teams to hear currently pending and newly filed appeals. When fully staffed in FY 2019, OMHA will have approximately 170 ALJ teams with the ability to adjudicate approximately 170,000 appeals annually. In FY 2019, HHS projects receipts at OMHA to exceed 100,000 appeals and continuing to rise in subsequent years. The FY 2018 Omnibus funding level will finally allow OMHA to steadily adjudicate pending cases. At this level, OMHA projects to eliminate the backlog in approximately 7 years.

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Blunt Q6: ***How has HHS created a more consistent process at the Office of Medicare Hearings and Appeals to discourage continued appeals?***

Response: OMHA has implemented a number of measures to improve and expedite the appeals process. OMHA has established a National Substantive Legal Training Program for new ALJs and attorneys, with yearly judicial education to increase consistency in decision-making and address program integrity issues. Regulations effective March 20, 2017 have expanded OMHA's ability to process Level 3 appeals by providing for review of certain appeals by attorney adjudicators rather than ALJs, implemented processing efficiencies at OMHA, and resolved many areas of confusion among stakeholders. In addition, beneficiary appeals have been prioritized to optimize timely adjudication. The OMHA Case Processing Manual (OCPM) initiative is establishing OMHA-wide common business practices for the adjudicative process, and OMHA is using strategic case assignments to assign appellants with a large number of filings to a single ALJ, facilitating potential consolidated proceedings and more efficient adjudication. These "big box" assignments are then rotated among ALJs in accordance with the Administrative Procedure Act. OMHA has a Statistical Sampling Pilot to resolve large groups of appeals, and its Settlement Conference Facilitation initiative is providing a less costly alternative to ALJ hearings. Thanks to these efforts, and CMS's efforts implemented at appeal levels 1 and 2, the Department has seen a drop in OMHA's annual receipt levels since the peak in FY 2014 which saw OMHA receive over 470,000 appeals in one year.

Blunt Q7: Your budget requests an additional $70 million over FY2018 to work through the backlog of appeals. ***If this request is appropriated, how quickly will the backlog be reduced?***

Response: HHS projects that, with current administrative actions in place, the FY 2018 funding, and additional resources and authorities requested in FY 2019, once OMHA is fully staffed, the backlog could be eliminated in approximately 4 years.

In addition, the FY 2019 President's Budget and the Audit & Appeals Fairness, Integrity, and Reforms in Medicare Act of 2015 (AFIRM), introduced by the Senate Finance Committee, propose additional authorities that would be useful in reducing the pending backlog of Medicare Appeals more efficiently, and allow for future receipts to be addressed at lower levels. These authorities include changing the Medicare Appeal Council's standard of review; remanding appeals to the redetermination level with the introduction of new evidence; increasing the minimum amount in controversy for Administrative Law Judge (ALJ) adjudication of claims to equal the amount required for judicial review; establishing magistrate adjudication for claims with amounts in controversy below the new ALJ amount in controversy threshold; expediting procedures for claims with no material fact in dispute; limiting appeals when no documentation is submitted; requiring a good-faith attestation on all appeals; and establishing a post-adjudication user fee for unfavorable appeals at the third and fourth levels of appeal. With FY 2018 Omnibus funding, the Department's current administrative actions, and these authorities in place, the Medicare Appeals process will be better structured to encourage resolution of cases earlier in the process and resolving a greater volume of appeals.

Mental Health

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The fiscal year 2018 Omnibus included a new investment of $100 million for Behavioral Health Clinics to provide treatment to Americans that suffer from mental illness, particularly in areas impacted by the opioid crisis.

Blunt Q8: The fiscal year 2018 Omnibus included a new investment of $100 million for Behavioral Health Clinics to provide treatment to Americans that suffer from mental illness, particularly in areas impacted by the opioid crisis. ***How will these funds help those with mental illness receive treatment and when does HHS expect grants awards to be announced?***

Response: The purpose of this program is to increase access to and improve the quality of community behavioral health services through the expansion of Certified Community Behavioral Health Clinics. The CCBHC Expansion grant program will provide access to services for individuals with serious mental illness (SMI) or substance use disorders (SUD), including opioid disorders; children and adolescents with serious emotional disturbance (SED); and individuals with co-occurring disorders (COD). SAMHSA expects that this program will improve the behavioral health of individuals across the nation by providing comprehensive community-based mental and substance use disorder services; treatment of co-occurring disorders; advance the integration of behavioral health with physical health care; assimilate and utilize evidence-based practices on a more consistent basis, and promote improved access to high quality care. CCBHCs provide a comprehensive collection of services that create access, stabilize people in crisis, and provide the needed treatment and recovery support services for those with the most serious and complex mental and substance use disorders. CCBHCs integrate additional services to ensure an approach to health care that emphasizes recovery, wellness, trauma-informed care, and physical-behavioral health integration. CCBHCs provide services to any individual, regardless of their ability to pay or their place of residence. Data is currently being collected on the program to gauge effectiveness and identify lessons learned. Grants will be awarded by September 30, 2018.

Blunt Q9: ***When does HHS expect to report preliminary and final results of the current Excellence in Mental Health pilot program?***

Response: SAMHSA is responsible for producing an annual report to Congress in December of each year, until 2021. The reports will be based on an ongoing evaluation overseen by ASPE, drawing on multiple data sources including state reported quality measures, clinic cost reports, site visits, clinic progress reports and telephone interviews. In order to measure the impact of the program on utilization patterns and costs of a full range of mental health services compared to Medicaid beneficiaries with similar demographic and diagnostic conditions who do not receive CCBHC services during the demonstration, Medicaid claims data from four states will be used. This quantitative portion of the evaluation will examine changes in inpatient, outpatient, and emergency care for both physical and behavioral health conditions for four states with the strongest data and comparison groups. Because of the lag in the availability of the claims data we do not anticipate that all of the necessary data will all be available for analysis until at least two years after the second year of the pilot ends. As a result, the report on these impacts will be available in the final report in December, 2021. The remainder of the reports to Congress will

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utilize primarily qualitative data, and report on cost and quality measures as soon as they are available. A summary of the planned report content is highlighted below:

- The first Report to Congress should be out shortly, and focuses on the characteristics of state delivery systems and CCBHCs at the beginning of the demonstration, planned partnerships, and plans for service provision, including whether CCBHCs had to change services or provide new services. The report will also discuss state plans for monitoring the quality of CCBHC services, as well as which PPS model the state selected.

- The second Report to Congress, due in December, 2018, focuses on how well CCBHCs established relationships with other providers, including formal relationships. It discusses how well they were able to bill and generate claims and encounter data, what types of services and evidence-based practices are being implemented, and whether they are using telehealth or other providing services in other locations. It will also discuss care coordination practices, staffing patterns, and staff training.

- The third Report to Congress, due in December, 2019, will focus on whether the CCBHCs sustained their partnerships and delivery of required services, including whether they maintained staffing levels and training. It will discuss information sharing practices across providers to coordinate care, as well as the use of evidence-based practices. Because the first year of the demonstration quality measures and cost reports will be available in time for this report, the report will also discuss CCBHC performance on quality measures and whether CCBHCs used the quality measures to improve care. The cost reports will allow the report to address what the costs of care were, and whether they deviated from expectations. It will also report on whether states changed the payment rates based on the first year of the demonstration's costs.

- The four Report to Congress, due in December, 2020, will focus on changes in the quality measures over the course of the demonstration, as well as changes in costs, utilizing both years of cost and quality data. It will investigate whether the costs and performance data vary by state, depending on the prospective payment used. It will also investigate whether quality bonus payments were made to clinics.

- The final Report to Congress, due in December, 2021, will include information on service utilization patterns and costs of Medicaid beneficiaries in the CCBHCs compared to a comparison group. It will also summarize the findings of the previous reports, and provide recommendations concerning whether the demonstration program should be continued, expanded, modified or terminated.

Strategic National Stockpile

I appreciate the Department's continued communication as HHS works to shift the Strategic National Stockpile (SNS) from CDC to ASPR.

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Blunt Q10: ***How will HHS continue to rely on CDC expertise when deciding the necessary products to purchase for the stockpile?***

Response: CDC participates in and provides subject matter expertise to the ASPR-led Public Health Emergency Medical Countermeasures Enterprise (PHEMCE), which HHS created to provide a venue for sharing information across agencies with a role in medical countermeasures. CDC will remain an active participant in PHEMCE workgroups and committees as a forum to ensure important clinical, regulatory, laboratory, and scientific input is accounted for in decisions related to the life cycle of SNS products. ASPR has committed to continue to fund in FY 2019 most of the subject matter expertise at CDC that has been providing support to SNS activities.

Further, to continue to increase collaboration across the Department, ASPR requested, and CDC has assigned, a senior CDC staff member to work as a liaison within the ASPR Immediate Office. Additionally, ASPR is identifying an ASPR employee to serve as a liaison at CDC in Atlanta.

Continued inclusion of CDC in PHEMCE ensures that CDC's scientific, epidemiological, clinical, and public health expertise helps inform decision making related to Medical Countermeasures (MCMs), such as requirement setting and acquisition of MCMs for the Strategic National Stockpile, which can be most effectively used to significantly reduce morbidity and mortality from public health emergency threats. CDC expertise is also important to help inform the practical requirements of dispensing MCMs by public health departments, monitoring use of MCMs, and assessing MCM use. CDC also maintains strong partnerships and trust with State, Local, Tribal, and Territorial (SLTT) public health entities and clinicians, who serve as some of the frontline providers for MCMs. While the SNS transitions to ASPR management, CDC will continue to provide this expertise through the PHEMCE and the SNS annual review process.

Blunt Q10A: ***Does HHS plan to keep any SNS related funding within CDC to cover CDC's ongoing SNS costs?***

Response: In order to ensure a smooth transition with no degradation of operational capability, ASPR and CDC have set up several joint SNS transition workgroups to evaluate all aspects of this program transition. Ensuring CDC's continued ability to provide, in a collaborative and transparent fashion, scientific, clinical, regulatory, laboratory, and SLTT coordination expertise will be a critical component to ensuring the ongoing successful operations of the SNS. While some details are still under review, ASPR has committed to fund transition activities to meet costs CDC may incur related to the SNS itself. Once finalized, HHS would be pleased to provide a full briefing for Committee staff on the SNS transition details before the end of the fiscal year.

Questions from Senator Murray (WA)

Maternal Mortality

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It is deeply troubled that greater proportions of women in this country are dying of pregnancy-related complications than in any other developed country in the world, and the U.S. is the only country where the rate of these deaths has been has been rising. It is essential that we improve systems of maternity care, including both clinical and public health systems, to eliminate preventable maternal mortality and severe morbidity across the United States.

Murray Q1: ***What can HHS do to reverse the rising rates of maternal death, and what will it take for the Department to take greater leadership to address this issue?***

Response: Since 2016, CDC has collaborated with CDC Foundation and the Association of Maternal Child Health Programs on a project to help state-based maternal mortality review committees (MMRCs) produce stronger data on maternal mortality. These data can be used to better understand and prevent maternal mortality. The project also works to foster information sharing between MMRCs.

To support this effort, CDC developed the Maternal Mortality Review Information Application (MMRIA). MMRIA facilitates case abstraction to help MMRC members to (1) understand the story of a woman's life and the events leading to her death and (2) support routine analyses to inform prevention, and (3) share a common language that helps MMRCs to collaborate with each other in case review and reporting.

Through this work, a *Report from Nine Maternal Mortality Review Committees* was released in February 2018. The report found that about 60% of pregnancy-related deaths are preventable and highlighted key opportunities for prevention. Additional key findings include:

- Nearly half of all pregnancy-related deaths were caused by hemorrhage, cardiovascular and coronary conditions, cardiomyopathy or infection.
- Mental health conditions are a leading cause of death, and also an important contributor.
- Deaths from hemorrhage, cardiovascular conditions and preeclampsia/eclampsia are highly preventable.
- The leading causes of maternal deaths vary by race. For example, 12% of maternal deaths among black women are due to preeclampsia or related conditions, compared to only 5% of white maternal deaths.

CDC has invested in Perinatal Quality Collaboratives (PQCs) to improve outcomes for mothers and infants. PQCs are state networks of teams working on quality improvement. PQC members identify health care processes that need to be improved and use the best available methods to make changes as quickly as possible. PQCs have contributed to important improvements in health care and outcomes for mothers and babies, including reducing deliveries before 39 weeks of pregnancy without a medical reason and reducing severe pregnancy complications. As MMRCs have increased capacity, PQCs can work with them to address the prevention recommendations that emerge from the Review Committee process. CDC currently supports PQCs in 13 states (Colorado, Delaware, Florida, Georgia, Illinois, Louisiana, Massachusetts, Minnesota, Mississippi, New Jersey, New York, Oregon and Wisconsin). to improve population outcomes in maternal and child health.

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Murray Q1A: ***Does HHS support increased investment in successful evidence-based programs to prevent maternal deaths, such as the Safe Motherhood Initiative, or the Alliance for Innovation in Maternal Health and Healthy Start?***

Response: HRSA is committed to supporting continued investments in evidence-based strategies to prevent maternal deaths and leverages existing resources and programs to address this important issue. For example, earlier this year HRSA released a notice of funding opportunity for the Alliance for Innovation on Maternal Health Initiative. The goals of this award will be to 1) facilitate widespread implementation of the current maternal safety bundles and/or resources by maintaining the existing 10 AIM state-based teams, and accepting 25 new state-based teams; 2) develop new maternal safety bundles and/or resources that address new topics in the quality and safety of maternity care practices; 3) develop and implement a national campaign focused on the current state of maternal mortality and severe maternal morbidity that highlights the impact of AIM, and how the maternal safety bundles improve maternity care practices; and, 4) prevent 1,000 maternal deaths and 100,000 cases of severe maternal morbidity in the United States by 2023. An award announcement will be made before the end of FY 2018.

HRSA also continues to support the Healthy Start program, which currently funds 100 competitive grants in 37 states and DC to reduce disparities in infant mortality and improve perinatal outcomes for women and children in high-risk communities throughout the nation. Healthy Start aims to reduce these disparities by empowering high-risk women and their families to identify and access needed services to improve the health of mothers and children before, during, and after pregnancy. The Healthy Start program will be recompeted in FY 2019 and will serve women and families across the nation through approximately 100 new grants. Prevention of maternal deaths remains a priority. HRSA plans to incorporate recommendations from the Maternal Mortality Summit in future HSRA activities on maternal mortality and will continue to explore opportunities to utilize existing resources to support evidence-based programs to address this important public health issue.

In addition, HHS supports continued resources for the Safe Motherhood Initiative to support Maternal Mortality Review Committees to increase access to robust, accurate data gathered through a standardized approach that can inform strategic, data-driven actions to prevent maternal mortality.

Murray Q1B: ***Is the Department taking action to address the disparities that women of color face when it comes to maternal mortality? What steps are being taken?***

Response: Considerable racial disparities exist with respect to maternal mortality, with black women almost 4 times more likely to die from pregnancy-related complications than white women. CDC is working to better understand the disparities through better data. Data from the Building U.S. Capacity Project *Report from Nine Maternal Mortality Review Committees* was released in February 2018 including important data to begin to better understand the disparities in maternal mortality. This report found that the leading underlying causes of death varied between non-Hispanic white and non-Hispanic black pregnancy-related deaths.

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Among non-Hispanic white pregnancy-related deaths, the leading underlying causes of death were:

1. Cardiovascular and coronary conditions (at 15.5%),
2. Hemorrhage (at 14.4%),
3. Infection (at 13.4%),
4. Mental health conditions (at 11.3%), and
5. Cardiomyopathy (at 10.3%).

These top five causes represent 64.9% of non-Hispanic white pregnancy-related deaths.

Among non-Hispanic black pregnancy-related deaths, the following were the five leading underlying causes:

1. Cardiomyopathy (at 14.0%),
2. Cardiovascular and coronary conditions (at 12.8%),
3. Preeclampsia and eclampsia (at 11.6%),
4. Hemorrhage (at 10.5%), and
5. Embolism (at 9.3%)

These causes represent just 58.1% of non-Hispanic black pregnancy-related deaths, suggesting a broader diversity of pregnancy-related causes of death among non-Hispanic black women than among non-Hispanic white women.

CDC is providing assistance to states to gather, analyze and use data to better understand how pregnancy-related mortality can be prevented in their states. Including data addressing both the clinical and non-clinical contributors to maternal deaths will allow states to fully address racial, geographic, and economic disparities in maternal mortality.

Healthcare Marketplaces

Last October the Trump Administration halted cost-sharing reduction (CSR) payments to qualified health plans, creating chaos in the individual insurance market at the exact time that most insurers were finalizing their premiums. The move resulted in increased premiums and reduced issuer participation for the 2018 plan year. This was one of many decisions the Administration made to sabotage our health care system and was in line with President Trump's statement that the best political course of action would be to let the marketplaces "explode."

Ending CSR payments was one of numerous other policies that contributed to an unstable market and rising premiums, including expanding the use of "junk," short-term plans, slashing advertising and in-person assistance, and weakening the essential health benefits. That said, state regulators are stepping in to mitigate the damage.

Most states across the country adopted a strategy called "silver loading" in which they allowed or required insurers to load the entire cost of CSR non-payment onto silver-level coverage. "Silver-loading" had the unintended effect of increasing the value of advance premium tax credits that enrollees receive while mitigating premium increases on bronze- and gold-level

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coverage. As a result, the Kaiser Family Foundation estimated that a 40-year-old with an annual income of $25,000 had access to at least one free bronze plan in 1,679 counties. That same study found that the lowest-cost gold plan was cheaper than the lowest-cost silver plan in 478 counties.

Officials from the Department of Health and Human Services are consistently declining to Response questions regarding whether the Department will permit silver-loading for the 2019 plan year.

Murray Q2: ***Will HHS let states permit or require insurers to load the cost of CSR non-payment onto silver-tier plans for the 2019 plan year?***

Response: CMS continues to look at a number of factors in the health insurance market impacting patient cost.

Murray Q2A: ***When will you advise issuers of this decision?***

Response: CMS continues to look at a number of factors in the health insurance market impacting patient cost.

Lymphedema

Many of my colleagues and I have been committed to helping patients suffering from chronic lymphatic system failure (lymphedema). This is not just one disease but a condition that can occur primary or secondary when the lymph vessels and/or nodes are compromised – a condition that does not have a cure. We hear about it now far more frequently due to increased cancer survivorship, but it can present in almost 40 different rare diseases or be acquired from over a dozen other traumatic causes. Given the expansive medical literature, which cites effectiveness of compression garment therapy and the cost savings associated with reductions in complications, hospitalizations, and physician and therapy visits, up to 3 million Medicare beneficiaries stand to benefit by better managing this chronic condition. The need for this was acknowledged and outlined originally by the Center for Medicare and Medicaid Services 2001 Decision Memo (CAG-00016N).

Murray Q3: ***Will HHS prioritize a rule providing coverage for these items and supplies this year?***

Response: Medicare's coverage criteria and benefit categories has remained largely unchanged since the program was first established more than 50 years ago. It is important to make sure that we are not being short sighted and failing to cover a treatment or item that will improve health and save money simply because it does not fit into a benefit category in Medicare. I would be happy to work with you and with CMS to explore whether separate coverage of and payment for compression garments is possible under the Medicare Part B benefit categories established in the statute.

Murray Q4: We are facing a child care crisis in this country, with parents struggling to find and pay for high-quality, early childhood education. I was proud to fight for a commitment in the

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FY18 Bipartisan Budget Act to double funding for child care for FY18 and FY19, and I look forward to working with my colleagues to ensure that we are able to sustain and build on these increases long term. The FY 2018 Omnibus joint explanatory statement outlines the Committee's expectations that the Department should support states as they work to effectively use the $2.37 billion increase to the Child Care and Development Block Grant provided in FY 2018. ***What are the Department's plans for meeting that expectation, especially when it comes to helping states accomplish the goals outlined in the explanatory statement and sustain those goals in the long-term?***

Response: The additional $2.37 billion doubled the discretionary funding for the Child Care and Development Fund (CCDF), leading to an overall increase in CCDF funding of about 41 percent. With this increase, the Department will make about $8.1 billion available to states, territories, and tribes. Under the CCDF final rule published in September 2016, states must meet all statutory and regulatory requirements by October 1, 2018, with the exception of background check requirements, for which states may receive time-limited extensions. States and territories will be submitting their CCDF Plans for FY 2019-FY 2021 this summer. These plans will provide HHS with updated information about the status of implementation across the country.

To help CCDF grantees accomplish the goals outlined in the explanatory statement and sustain those goals in the long-term, the Department will be issuing guidance outlining current requirements and priorities that align with the Joint Explanatory Statement, providing training and technical assistance through the early childhood and school-age training and technical assistance system in collaboration with the Office of Child Care and, sharing relevant research to inform state and local policymakers as they continue to implement CCDBG reauthorization and the increased funding through research reports and briefs posted online and sent to grantees and through webinars and presentations at conferences such as the CCDF State and Territory Administrators Meeting (STAM) . The Department will also use increased oversight to ensure compliance with CCDBG Act requirements. Oversight will be done through the review and approval of the FY 2019-2021 CCDF State and Territory Plans and the FY 2020-2022 CCDF Tribal Plans and through onsite monitoring.

Murray Q4A: ***How does the Department plan on engaging with stakeholders as they spend the increased funds to ensure technical guidance and assistance is meeting their needs?***

Response: The Office of Child Care (OCC) Regional Staff are the first point of contact for engaging with states, territories, and tribes as they plan for, and spend, the increased funds. They work closely with CCDF grantees to provide guidance, answer questions, track progress on implementation of reauthorization through the state plan amendment process, and direct issues to the Office of Child Care Central Office. The different centers in the early childhood and school-age training and technical assistance system engage with CCDF Lead Agencies through the OCC Regional Staff to assess their training and technical assistance needs and provide resources and supports that are responsive to individual grantee requests. Additional information about the technical assistance available to CCDF Lead Agencies is available at https://childcareta.acf.hhs.gov/about-acf-tta-system. OCC is hosting calls with CCDF Lead Agencies to provide updates and respond to questions from administrators. In person meetings with administrators will also provide the opportunity to discuss CCDF Lead Agency progress

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and challenges. These meetings include regional meetings, the national State and Territory Administrators Meeting (STAM) in August, and three Tribal conferences across the country this fall.

Murray Q5: On April 10th, President Trump issued an executive order entitled "Reducing Poverty in America by Promoting Opportunity and Economic Mobility." The executive order outlined "Principles of Economic Mobility", which included improving employment outcomes by strengthening work requirements. The executive order directed the Department of Health and Human Services to review all regulations, guidance documents, and work requirements in its public assistance programs to determine if they align with those principles of economic mobility. Most research, including reports done by the Center on Budget and Policy Priorities and the Urban Institute, shows that work requirements have not proven to be effective in helping families secure stable, well-paying jobs that get them off assistance for good. ***What data and evidence is HHS using to evaluate its regulations, guidance documents and public assistance programs as it pertains to the effectiveness of work requirements?***

Response: The President's Executive Order states that "bipartisan welfare reform enacted in 1996 was a step toward eliminating the economic stagnation and social harm that can result from long-term Government dependence." This success can be seen in the data. After welfare reform, the employment rate of single mothers rose from an average of 58.6 percent in the five years preceding welfare reform (1991-1995) to an average of 70.2 percent in the five years after reform (1997-2001).[1] As a result, the official poverty rate among single mother-led families fell from 44.0 percent in 1994 to 33.0 percent in 2000 and was still well below pre-welfare reform levels in 2016 (35.6 percent).[2] While the strength of the TANF program in promoting employment has faded over time, as part of this review, we intend to reinvigorate the focus on employment and personal responsibility throughout HHS programs in order to generate further increases in employment and reductions in poverty for all Americans.

Murray Q5A: ***What metrics will HHS be using as it evaluates programs in order to comply with the directives outlined in the executive order?***

Response: While review of our programs, regulations, and guidance documents continues as directed by EO 13828, HHS intends to pursue policies that will help grow the capacity of low-income individuals to reduce their need for and dependency on safety net benefits—this is how we will evaluate the success of programs and policies. Our goal will never be solely to reduce caseloads in assistance programs, but to help recipients move beyond their need for that assistance.

Murray Q6: The FY 2018 Omnibus joint explanatory statement directs the Department to provide the necessary technical assistance, monitoring and oversight to assist and evaluate states' activities to improve infant plans of safe care for prenatally-exposed infants, as defined in the Child Abuse Prevention and Treatment Act. ***What are the Department's plans for fulfilling that directive?***

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[1] ASPE tabulations from the Current Population Survey, Annual Social and Economic Supplement.
[2] US Census Bureau, Historical Poverty Tables, Table 4, https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-people.html.

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Response: ACF has reserved a at least $25,000 of the $60 million increase in CAPTA State Grants to support monitoring of states' implementation of Plan of Safe Care (POSC). Due to the shortened timeframe for carrying out and developing a monitoring protocol in FY2018, the Children's Bureau plans to carry out a limited number of site visits to several states across the regions during the remainder of FY2018. The purpose of the CAPTA POSC Site Visit is to gain a greater understanding of the state's policies and practices related to the Comprehensive Addiction and Recovery Act of 2016 (CARA) amendments to CAPTA POSC. The site visit will assist us in identifying promising practices, as well as the challenges and barriers to the implementation of POSC, and provides an opportunity to discuss potential technical assistance needs. Following the site visit, the Children's Bureau will provide summary information on the site visit, including identifying strengths of the state's implementation of POSC, existing challenges and barriers, as well as resources and technical assistance opportunities.

Murray Q6A: ***What technical assistance and guidance does the Department plan on providing to states regarding plans of safe care?***

Response: The National Center on Substance Abuse and Child Welfare (NCSACW), which is an HHS initiative jointly funded by SAMHSA and ACF continues to provide technical assistance to states in a variety of ways to support their efforts in protecting infants born substance-exposed and support the implementation of the CARA amendments to CAPTA. These efforts include:

- Substance Exposed Infant In-Depth Technical Assistance (SEI IDTA): The SEI IDTA is designed to advance the capacity of tribes, states, and community agencies to improve the safety, health, permanency, and well-being of substance-exposed infants (SEIs) and the recovery of pregnant and parenting women and their families. The program works with states and local communities to strengthen collaboration among child welfare, substance use disorder treatment, and the courts, as well as medical communities, early care and education systems, home visiting, and other key partners, including the implementation of plans of safe care.
- Regional Convenings – The NCSACW has worked to plan and facilitate a regional convening of states working to implement comprehensive and collaborative approaches to Plans of Safe Care for infants with prenatal substance exposure and their families/caregivers.

The NCSACW responds to a large number of technical assistance requests related to opioid-related issues, including medication-assisted treatment, neonatal abstinence syndrome, prenatal substance exposure and plans of safe care. Requests for technical assistance are tailored to the specific needs of the state, as well as addressing the needs of multiple states when appropriate. Technical assistance may include: responding to requests for information; disseminating written materials and resources, and conducting webinars/conference calls.

In addition, in September 2017, the Children's Bureau funded the National Quality Improvement Center for Collaborative Community Court Teams (QIC-CCCT) to support demonstration sites that establish or enhance collaborative community court teams to design, implement, and test approaches to address the rise of substance use disorder nationally and the increase in the

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number of infants and young children entering foster care and caregivers. In an effort to support data-driven, multi-system collaborative team approaches across the country, the QIC-CCCT will support demonstration sites to improve or develop their capacities to collaboratively serve families; design, implement, and test approaches to support the needs of substance exposed infants, including addressing the provisions of CARA; and generate knowledge for the field. In April 2018, 15 sites in 9 states (Oklahoma, California, Alabama, Ohio, Georgia, Florida, Arizona, Alaska, and Texas) and tribal communities were selected to participate in the work of the QIC.

Murray Q6B: ***How will the Department continue to monitor States' progress in meeting the needs of this population and their families?***

Response: To the extent funds are available for this purpose, we will continue to carry out the process described above. However, regardless of funding, we will continue to address CAPTA compliance.

Responding to changes made by the CAPTA Reauthorization Act of 2010, ACF issued guidance requiring all states to submit new CAPTA state plans, including state plan assurances signed by the governor. Once states provide the assurances, the state is in compliance with CAPTA.

If ACF learns there may be a discrepancy between what a state submitted in its CAPTA state plan and the actual practices within the state, ACF will explore whether a problem actually exists. If the state fails to correct the deficiency within a specified timeframe, the state risks losing its CAPTA grant funds.

Murray Q7: The FY 2018 Omnibus provided an additional $260 million for grantees to increase their program hours, in alignment with the requirement in the Head Start Program Performance Standards (HSPPS) that all programs offer extended duration services by 2021. ***What percentage of programs currently meet the HSPPS duration requirements with 100 percent, 50 to 100 percent, 1 to 50 percent, and zero percent, respectively?***

Response:

Head Start (HS) Center-Based (CB)

Approximately 37% of HS CB programs operate 100% slots at 1,020 hours.
Approximately 11% of HS CB programs operate between 50% and 100% slots at 1,020 hours.
Approximately 34% of HS CB programs operate between 1% and 50% slots at 1,020 hours.
Approximately 18% of HS center based programs operate no slots at 1,020 hours.

Head Start (HS) Family Child Care (FCC)

Approximately 88% of HS FCC programs operate 100% slots at 1,380 hours.
Approximately 3% of HS FCC programs operate between 50% and 100% slots at 1,380 hours.
Approximately 9% of HS FCC programs operate no slots at 1,380 hours.

Early Head Start (EHS) Center-Based (CB)

Approximately 80% of EHS CB programs operate 100% slots at 1,380 hours.
Approximately 3% of EHS CB programs operate between 50% and 100% slots at 1,380 hours.

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Approximately 2% of EHS CB programs operate between 1% and 50% slots at 1,380 hours.
Approximately 15% of EHS CB programs operate no slots at 1,380 hours.

Early Head Start (EHS) Family Child Care (FCC)
Approximately 99% of EHS FCC programs operate 100% slots at 1,380 hours.
Approximately 1% of EHS FCC programs operate no slots at 1,380 hours.

Murray Q7A: ***What is the estimated cost of meeting 100 percent Head Start center-based duration requirement by 2021?***

Response: We estimate the cost of meeting the Head Start 100 percent center-based duration requirement by 2021 will be an additional $800 million beyond the funding that has already been appropriated. This estimate assumes FY 2019 funding, but costs can be expected to increase over time due to rising costs of living each year.

Murray Q8: Research shows that continuous access to full-day, full-year early childhood services improves the likelihood of successful outcomes for young children from low-income backgrounds. However, HHS recently waived the requirement that 50 percent of Head Start center-based programs extend their services to the equivalent of full-day, full-year by August 2019. The notice of the waiver stated that this action was necessary due to insufficient funding. ***Given this, what is the rationale for the FY 2019 President's Budget proposing a Head Start funding level that is $589 million below the FY 2018 enacted level (and only $22 million above the FY 2017 enacted level)?***

Response: At the time, HHS made the determination to waive the requirement for 50 percent of Head Start center-based programs to extend their hours of program operation, only $294 million had been appropriated to support this service duration increase, which was significantly less than the estimated cost for all programs to meet the 50 percent requirement. Rather than causing a large reduction in children served in Head Start programs as the result of a federal requirement, HHS waived the requirement in order to allow programs flexibility to design program schedules that best meet their community needs. Head Start programs can still offer full-day, full-year services if that schedule meets their community needs and is approved through their grant application. The FY 2019 request makes decisions about funding levels within responsible fiscal constraints; additional investments targeted to duration increases are not proposed.

Murray Q8A: ***What is the rationale for the budget request's proposal to merge funds for the Early Head Start-Child Care Partnerships into the Head Start base grants?***

Response: The current appropriations language requires grantees to track and allocate regular Head Start and Early Head Start funding separately from Early Head Start Expansion and Early Head Start – Child Care (EHS-CC) Partnership funding across up to six accounts. This separate tracking and allocation is administratively burdensome and does not result in any benefit to grantees or the government. Merging the funding would allow these programs to continue to operate in the same way while eliminating unnecessary administrative work for grantees and the government.

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Given the increases Congress provided in FY 2018 above the requested level for this program, some technical changes to the appropriations language are necessary to ensure the Department is able to meet the intended goals of the unrequested increases and retaining the extended period of availability for the new third round of grants.

Murray Q8B: ***Other than simplifying reporting requirements for grantees, will the requested bill language have effect on Early Head Start-Child Partnerships, Early Head Start expansion, or Early Head Start conversion?***

Response: While a very small number of 3-year-olds served in EHS-CC Partnership family child care programs would need to be transitioned to Head Start or other settings if the funding were to be merged in appropriations language, the existing EHS-CC Partnerships, EHS conversion, and EHS expansion grants would all be able to continue in exactly the same way they are currently operating because these models and activities are all allowed under the Head Start Act and the Head Start Program Performance Standards.

The current appropriations language states that funds appropriated specifically for EHS-CC Partnerships, EHS Expansion, and EHS conversion funds "are available to serve children under age 4" whereas funds used to operate Early Head Start under the base appropriation may serve "families with children under age 3" (Section 645A(c)(2) of the Head Start Act). Currently, the flexibility to serve children up to age 4 has been exercised only by a small number of family child care programs in EHS-CC Partnership grants, not by center-based EHS-CC Partnerships or EHS expansion programs. Based on 2017 Program Information Report (PIR) data, only 4 percent of children in EHS-CC Partnership and EHS Expansion programs are at least age 3 at enrollment. If the EHS-CC Partnerships funding were to be included in the base appropriation, any of those children who had not already aged out of the program once the consolidation occurs would need to transition into Head Start slots, which could be Head Start slots in centers or in family child care settings. Because EHS-CC Partnership grants receive their annual awards late in the fiscal year, grantees would operate most of the FY 2019 program year on their prior year funding, which would give them additional time to transition 3-year-old children into other settings before receiving FY 2019 funding. OHS would work with grantees to ensure smooth transitions for these children in the event that language is included to merge funding for Early Head Start-Child Care Partnerships into the Head Start base appropriation.

Murray Q9: Head Start programs are playing a unique and important role in addressing the effects of substance use disorders, including as a result of the opioid epidemic, on low-income young children and their parents. Infants born with prenatal exposure are at higher risk for short term and long-term effects, including related to growth, behavior, cognition, language, and achievement. (http://pediatrics.aappublications.org/content/pediatrics/131/3/e1009.full.pdf) Head Start programs need more resources, including teacher and mental health consultants, to continue to respond to these effects, as well as the trauma young children are experiencing as a result of the epidemic. ***How is HHS leveraging Head Start and its existing local relationships to address the issue of prenatal drug exposure, including neonatal abstinence syndrome, as well as increased trauma?***

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Response: All Head Start programs are required to collaborate with numerous community partners to facilitate access to responsive services for their families to help meet family needs and goals. These partners include Health care providers, including child and adult mental health professionals, Medicaid managed care networks, dentists, other health professionals, nutritional service providers, providers of prenatal and postnatal support, and substance abuse treatment providers.

Additionally, the ACF Office of Head Start (OHS) partners with the American Academy of Pediatrics to manage its National Center on Early Childhood Health and Wellness (NCECHW) and provide education, training and resources to its grantees. Grantees and their Health Services Advisory Committees partner with agencies in the community to provide resources to children and families at risk of impacts from substance misuse, including trauma. To date, the NCECHW has developed a substance misuse landing page where programs can obtain information and resources related to what staff should know, how programs can help, basics on opioids and substance misuse, reducing risks for neonatal exposure, caring for children exposed to substances, and preparing for sensitive conversations. For many years, Early Head Start programs have educated pregnant women on the dangers of substance misuse and all Head Start programs provide families with resources to educate them about the dangers of substance misuse and its impact. Family service workers and mental health consultants assist programs in responding to the needs of families and in leveraging resources including health and mental health resources in the community to provide additional support to families.

In addition, OHS has a Memorandum of Understanding (MOU) to coordinate resources and align policies at the national level with the Health Resources and Services Administration, Bureau of Primary Health Care (HRSA/BPHC), as well as to foster a partnership at state and local levels, that will lead to an increase in access to quality, culturally and linguistically appropriate comprehensive primary health care services in states where programs exist. Under this agreement, HRSA and OHS will work collaboratively to support the development and strengthening of linkages between their programs at the local or state level and establishment of measures for evaluation of improved health, dental, and behavioral health outcomes and health center access and utilization.

Murray Q9A: ***How is the Department supporting the 1,600 Head Start grantees to address the increased workload and challenges as a result of the opioid epidemic?***

Response: The Office of Head Start (OHS) is providing information and training and technical assistance related to substance misuse and specifically the opioid crisis. Through its website, Early Childhood Learning and Knowledge Center (ECLKC) resources are being disseminated to all grantees (https://eclkc.ohs.acf.hhs.gov/mental-health/article/substance-misuse.) These materials include educational materials about opioids and substance misuse and impact on children and families.

Head Start, home visitors, and child care staff often have a window into the real-life circumstances and needs of families. These programs may be the front-line in identifying issues

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that signal substance misuse. It can be hard to navigate these complex situations, but Head Start programs have unique opportunities to engage families and even prevent harm to children. Head Start programs can be a valuable resource to families by helping them to know what services are available in the community. A Head Start program's Health Services Advisory Committee (HSAC) can develop policies, guidelines, and community partnerships by knowing the eligibility requirements of programs that serve families impacted by opioid misuse. This information is necessary when discussing service and treatment options with families

In addition, this summer, OHS is holding an Expert Work Group on Substance Use Disorder with a focus on the opioid epidemic and its impact on young children and their families. The work group will be comprised of experts on substance use disorders, with a focus on the opioid crisis and its impact on young children and how to support local Head Start programs in responding to the opioid epidemic. Experts are expected to share their current research and knowledge with a focus on the types of strategies that would be most helpful to those serving children and families.

- We anticipate the following outputs from this Work Group: Summarized notes, proceedings, and key messages from the expert work group will be shared;
- Standardized PowerPoint presentations developed as an outgrowth of the meeting that can be shared with grantees;
- Increased knowledge of current and future work by each national Training/Technical Assistance (T/TA) center that can be used or modified across all T/TA centers to help to support grantees;
- Repository of core documents that can be modified and supplemented with information germane to a variety of recipients;
- Stronger consensus in the field regarding the most effective strategies for supporting young children, families, programs and communities impacted by opioid use disorders; and
- Increased knowledge of successful community-level pilots and projects that may help other communities develop similar programs and strategies.

Murray Q10: Head Start programs have been tackling the issues resulting from the opioid epidemic for years, providing behavioral, mental health, and community supports to children affected by this crisis, as well as other drug crises. ***As HHS makes decisions about how to implement increased funds and address the opioid epidemic, how will HHS engage the Office of Head Start to share best practices with Head Start agencies and other early childhood education programs across the country?***

Response: OHS has a long history of providing support and assistance to families impacted by substance misuse and other trauma. OHS utilizes existing systems and partners in order to bolster its response to the current crisis. For example, OHS is partnering with colleagues in HHS that include other ACF agencies such as the Children's Bureau, and other operating divisions such as SAMSHA, CDC, and NIH, and sharing information and resources that can be disseminated to Head Start grantees, child care providers, and early childhood programs across the country. OHS's website (ECLKC) is a resource for all early childhood programs; training materials and resources are available to everyone at no cost.

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In addition OHS, is a co-lead with HRSA and SAMHSA on the Interagency Workgroup on the Impact of Opioids on Young Children and Families, which includes a wide variety of participants across agencies. The purpose of the group is:

- To share information and materials related to the impacts of opioid misuse on pregnant women, infants, and their families, to ensure that we all have access to the most up-to-date resources and information;
- To share resources and guidance that each agency or program is developing for its grantees (or other audiences), to ensure clarity and consistency across programs and agencies, to the extent possible, and to reduce duplication;
- To share what each agency/program is learning from its grantees and the field (both in terms of challenges and strategies for addressing the issue) that can be captured and shared more widely in order to promote best practice and innovation; and
- To share what each agencies is doing to address the issue so that all involved agencies are more aware of the range of federal resources and activities being devoted to this crisis.

Information from the workgroup helps to drive information that OHS can make available to grantees via the ECLKC substance misuse landing page.

Murray Q11: ***Does the Department believe that HHS should fund adoption agencies that refuse to house children in loving homes because the adoption agency objects to children being raised by same-sex couples?***

Response: Title IV-E of the Social Security Act provides Title IV-E agencies with significant latitude to determine how and under what conditions an agency will license or approve prospective foster or adoptive parents. The Act requires each state or tribe operating a Title IV-E program to designate or establish a licensing authority that establishes and maintains standards for foster homes and child care institutions that are reasonably in accord with nationally recommended standards. The Act does not apply the foster family home licensing standards to adoptive family homes, rather, an agency must place a child for adoption in accordance with applicable state, tribal, and local law.

HHS does not impede the placement of children in eligible same-sex households and also does not impede the full participation of religious organizations in foster care and adoption. As a general matter, HHS supports the prompt placement of children in loving homes according to the best interests of the child and supports giving states flexibility in meeting that standard consistent with federal law.

Murray Q11A: ***If HHS's position is that such type of discrimination should not be funded by taxpayer dollars, what course would the agency take if the adoption refuses to place children in same-sex households due to their religious beliefs?***

Response: As a general matter, HHS supports the prompt placement of children in loving homes according to the best interests of the child and supports giving states flexibility in meeting that standard consistent with federal law.

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Everyone deserves to be treated with respect and given every protection afforded by the Constitution and laws passed by Congress. We will examine any particular situation that arises on these issues with sensitivity and will apply the law to the facts of each particular case fairly, impartially, and appropriately. This means we cannot prejudge cases or hypothetical scenarios but must wait until a concrete complaint is brought before us.

Murray Q12: Valid and reliable data on children involved in our child welfare system is critical for understanding and improving our nation's support for our most vulnerable children and families. Unfortunately, the Adoption and Foster Care Analysis Reporting Systems (AFCARS) data points have not been updated since they were first finalized in 1993. In December 2016, HHS finalized a critical rule to update these data points to align with congressional mandated provisions of laws such as the *Fostering Connections to Success and Increasing Adoptions Act of 2008* and the *Preventing Sex Trafficking and Strengthening Families Act of 2014*. I was particularly glad to see new information collected on educational stability for children and youth in foster care, which is critical for implementing the Every Student Succeeds Act with fidelity. On March 15th, HHS proposed to amend and delay these important updates for two years with reporting not expected until October of 2021. ***Please explain why HHS believes it is acceptable to delay the collection of congressionally-mandated data elements until 2021, especially in light of the fact that states have been planning for these upgrades since 2016.'***

Response: In response to EO 13777, the Department of Health and Human Services' (HHS) Regulatory Reform Task Force identified the AFCARS regulation as one where there may be areas for reducing reporting burden and where costs may exceed benefits. HHS published on March 15, 2018 an Advance Notice of Proposed Rulemaking (ANPRM) seeking public suggestions for streamlining the AFCARS data elements and removing any undue burden related to reporting AFCARS, per the directive of the E.O. The delay allows HHS time to consider the comments to the ANPRM and, if necessary, use them to draft a NPRM proposing revisions to the AFCARS that are in line with the directive of the E.O. It will also allow title IV-E agencies ample time to consider the full impact the data reporting from the December 2016 AFCARS final rule and provide HHS with specific comments on the burden associated with the December 2016 final rule.

Section 479 of the Social Security Act requires us to regulate the AFCARS requirements. There is no legislative deadline established in the Act for updating or issuing regulations. Thus, it is within our authority to issue regulations and revise the regulations as directed in the E.O. Title IV-E agencies will continue to submit AFCARS data per the requirements in regulations 45 CFR 1355.40 and the appendix to part 1355 as they have been.

Murray Q13: In February, Congress passed and the President signed into law the most significant reforms to our nation's child welfare system in decades. The Family First Prevention Services Act (FFPSA) reorients our child welfare system toward prevention by allowing states to draw down federal funds for evidence-based prevention services in two areas: 1) in-home parent skills-based programs; and 2) substance abuse and mental health treatment services, for children at "imminent risk" of entering foster care. Understanding the scope of programs that will meet the "evidence-based" standard and disseminating this information to states and child welfare

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agencies will take significant collaboration between the various agencies with jurisdiction over prevention services, including but not limited to the Administration for Children and Families, Substance Abuse and Mental Health Services Administration, and the Health Resources and Services Administration. ***How will you promote collaboration between the relevant agencies tasked with ensuring effective implementation of FFPSA, particularly before the October 1st deadline for HHS to release guidance on the practice criteria required for the prevention services as well as a pre-approved list of services and programs that meet the law's evidence standards?***

Response: Over the next few months, the Administration for Children and Families intends to consult broadly across HHS and the field in the development of the criteria by which interventions will be assessed in determining which interventions are approved for funding under the title IV-E prevention services program. HHS has held an External Stakeholder meeting, including the National Governor's Association, National Association of Counties, and National Conference of State Legislators, and has met with county child welfare directors in Colorado and Minnesota. The Children's Bureau has also issued a Federal Register Notice seeking comment on proposed criteria for identifying evidence-based practices for implementation of FFPSA. Further meetings and listening sessions are planned for the coming months.

Murray Q14: As Director of the Office of Refugee Resettlement, Scott Lloyd had denied young women, even those who are pregnant as a result of rape, of their constitutional right to access abortion. ORR has reportedly posted instructions for young women to seek counseling from crisis pregnancy centers that discourage abortions, and to provide brochures with misleading information including inaccuracies on the medical risks of abortion. At the House Appropriations hearing this past March, Secretary Azar stated that he will "absolutely comply with the law and constitution as determined by the courts." A federal judge has ordered the Department to stop blocking children in its care from obtaining abortions, and to post a notice in shelters to inform them of their right to decide whether to have an abortion. ***What is the Department doing to ensure that ORR complies with the court's order to stop blocking access to abortion care?***

Response: ORR has already sent notice to all of its shelters informing them of the requirement to post the notice ordered by the district court, has followed up on its instruction, and has informed the minority of shelters with conscientious objections that corrective action is necessary. The Department expects full compliance with the district court's order. In addition, the Department has appealed the district court's order to the Court of Appeals for the D.C. Circuit, but will continue to comply with the district court's order as long as it stands.

Murray Q14A: ***How are you enforcing the requirement that all ORR-funded shelters post a notice informing minors of their rights?***

Response: ORR monitors all care providers for compliance with ORR policies and, when applicable, court orders. Monitors have been informed of notice requirements and will ensure compliance with the court order from U.S. District Court Judge Tanya Chutkan. Programs subject to the court order have also been notified of the order. If ORR receives information that a program is not in compliance with the court order, ORR will investigate and act accordingly. Project Officers have been instructed to contact each of the facilities they oversee to ask about

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the facility's compliance with the court order. Federal Field Specialists that routinely visit facilities have also been instructed to ensure compliance with the court order. Facilities not in compliance are subject to corrective actions.

Murray Q15: ***As the Office of Refugee Resettlement consolidates funding for refugee support services, how is it implementing the expectation in the FY 2018 Omnibus that activities funded in the Social Services, Targeted Assistance, and Prevention Health be continued at the same funding levels as in FY 2017?***

Response: Under the proposal presented in the FY 2018 Budget and adopted in the FY 2018 Omnibus, ORR will ensure funding levels for Social Services, Targeted Assistance, and Refugee Health Promotion (formerly Prevention Health) will be funded as close as possible to FY 2017 levels within the current budget.

Murray Q16: In a United Nations panel on April 10th, Office of Refugee Resettlement Director Scott Lloyd said the Administration is trying to "improve the legal framework whereby this [Unaccompanied Children] program can be more focused on those who have legitimate claims for asylum or Special Immigrant Juvenile Status." ***What options is ORR considering to achieve this stated goal of improving processing of unaccompanied children through the immigration system, including changes through federal rulemaking as well as internal policies and procedures?***

Response: ORR is currently working with DOJ and DHS to determine how the three agencies can improve the processing of UACs in the immigration system.

Murray Q16A: ***How do those changes align with the Trafficking Victims Protection Act, the Homeland Security Act, and the Flores settlement?***

Response: Any changes will align with the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Homeland Security Act of 2002, and the Flores settlement agreement.

Questions from Senator Leahy (VT)

Patent System and Drug Prices:

Brand drugs now account for more than three out of every four dollars spent on prescription drugs. The administration's blueprint to lower prescription drug costs notes that greater competition lowers prices, which in turn benefits patients. Unfortunately, abuse of the patent system is delaying patient access to new, more affordable, FDA-approved medicines. Examples of this practice include Humira, Restasis, and Revlimid and patent abuse are becoming an increasingly common practice.

The FY19 Budget and the American Patients First blueprint does not address, in any form, the increasing use of our patent system to extend monopolies and keep drug prices high for patients.

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Leahy Q1: ***How does the administration intend to identify and tackle clear abuses of the patent system to make sure that generics and biosimilars are able to enter the market according to the timeline Congress intended?***

Response: In 2017, FDA Commissioner Gottlieb established the Drug Competition Action Plan. Through this plan, FDA is working to help ensure consumers can get the medicines they need at affordable prices, including by helping ensure access to safe and effective generic drugs. One of the three major components of the plan is reducing the so-called "gaming" that frustrates and delays generic drug approvals and extends brand monopolies beyond what Congress intended with the Hatch-Waxman Amendments of 1984.

FDA has made significant progress in advancing the goals of the plan. For example, in July 2017, the Agency held a public meeting on "Administering the Hatch-Waxman Amendments" to gain input on how FDA can ensure an optimal balance between encouraging innovation in drug development and accelerating the availability to the public of lower-cost alternatives to brand name drugs. One of the specific issues FDA solicited input on was how the balance struck in the Hatch-Waxman Amendments has been affected by practices and trends related to patents. This was a well-attended and successful meeting, and over 90 substantive comments were submitted to the public docket. The Agency is currently assessing these comments as it continues to actively identify new initiatives that can enhance efforts to provide more safe, effective, and high-quality generic medicines to the public, and address "gaming," including abuses of the patent system, that exploits rules and loopholes in our system to delay generic approval and thereby extend a drug's monopoly beyond what Congress intended.

The FY 2019 Budget proposal also includes an important legislative fix to address gaming related to the Hatch-Waxman Amendments. As background, in the Hatch-Waxman Amendments, Congress provided a period of 180-day exclusivity for certain first generic applications as an incentive for generic manufacturers to challenge patents on innovator drugs that might otherwise prevent approval or delay generic entry into the market. This exclusivity, which is generally designed to reward certain generic drug sponsors with a finite period of marketing exclusivity, was intended to encourage generic drug development that might not have been undertaken otherwise. In some cases, however, the legal framework surrounding this exclusivity has delayed generic competition to an extent that was not intended by the Hatch-Waxman Amendments, and in ways that do not serve the public health. The FY 2019 President's FDA Budget proposal would address some of these issues by enhancing generic competition in areas where 180-day exclusivity is blocking such competition for extensive periods of time in certain circumstances, including situations where first generic applicants may be deliberately parking their 180-day exclusivity to delay approval of subsequent generic applicants who have also challenged the patents on the innovator product.

FDA also prioritizes its work to facilitate greater availability of biosimilar and interchangeable products. Increased access to these products should lead to greater price competition in the biological product marketplace and help bring down the costs of these important products. Although FDA has approved 10 marketing applications for biosimilars as of May 25, 2018, we are aware that many of these approved biosimilars have not yet been marketed. Although the

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challenges faced by the manufacturers in marketing of these products may be outside the Agency's control, FDA remains focused on creating and maintaining a rigorous, modern, and efficient review program for biosimilar and interchangeable products.

Building on the success of the Drug Competition Action Plan, described above, FDA will soon be launching a comprehensive Biosimilars Action Plan that will outline a number of policies and actions the Agency intends to put forward to enhance the efficiency of FDA's review of marketing applications for biosimilar and interchangeable products; to increase regulatory certainty for biosimilar manufacturers and other stakeholders; to educate stakeholders about biosimilar and interchangeable products; and to reduce gaming of FDA regulations or other attempts to unfairly delay market competition.

Lower Drug Costs Abroad:

It is well-documented that brand-name prescription drug prices in the United States exceed the costs for the same brand drug in other countries. For the top-selling brand drugs in the United States, the costs are two-to-three times the price of the same drug overseas. In the administration's blueprint on drug prices, HHS proposes to work in conjunction with the Department of Commerce and USTR to "address the unfair disparity between drug prices in America and other developed countries" through "appropriate regulatory changes and seeking legislative solutions."

Leahy Q2: ***Is there any evidence of a pharmaceutical company lowering the price of a brand drug in the U.S. because of a price increase in another country?***

Response: U.S. consumers and taxpayers generally pay more for brand drugs than do consumers and taxpayers in other OECD countries. In effect, other countries are not paying an appropriate share of the necessary research and development to bring innovative drugs to the market and are instead freeriding off of U.S. consumers and taxpayers. As part of President Trump's blueprint on drug prices, "American Patients First," HHS is actively reviewing what can be done to reduce the pricing disparity and spread the burden for incentivizing new drug development more equally between the U.S. and other developed countries.

Leahy Q2A: ***What policies, if any, are the administration considering that would compel pharmaceutical companies to lower drug prices in the United States as a result of our trade agreements?***

Response: As part of President Trump's blueprint on drug prices, "American Patients First," HHS is actively reviewing what can be done to reduce the pricing disparity and spread the burden for incentivizing new drug development more equally between the U.S. and other developed countries.

Family Separation

The Department of Homeland Security (DHS) recently announced that it will implement a "zero tolerance" policy and refer 100 percent of adults illegally crossing the border for criminal

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prosecution – even if they arrive with children. This will establish a de facto family separation policy, forcibly breaking up families and sending children into the custody of your agency. DHS has thus far refused to make public its memo outlining this new "zero tolerance" policy.

Leahy Q3: ***Given your agency's formal role in housing and caring for children separated from their families at the border, has your agency issued any memoranda or guidance to accompany DHS' "zero tolerance" policy memo? If so, can you please provide all such documents to this Committee?***

Response: ORR continues to implement the Unaccompanied Alien Children (UAC) Program in compliance with federal law and the *Flores* settlement agreement, and to provide care to all UAC in its custody. ORR has not issued any guidance because additional guidance is not necessary.

Leahy Q4: ***Have you estimated how many additional children will end up in the care of the Office of Refugee Resettlement (ORR) as a result of the Trump administration's new "zero tolerance" policy?***

Response: HHS is working closely with our DHS partners to anticipate and plan for the potential number of unaccompanied alien children (UAC) referrals and their length of stay in our care. Historically, the timing and number of UAC referred to HHS each year for care and custody has been difficult to predict with any certainty and the Department assesses need for capacity growth or decline on an ongoing basis.

Leahy Q4A: ***Have you estimated the increased cost associated with this influx of children?***

Response: We are working closely with our DHS partners to understand the potential impacts on the UAC program, including number of referrals, length of stay in our care, capacity needs, and cost estimates. As always, this program is very unpredictable and we will continue to work with Congress as we learn more.

Leahy Q4B: ***Will you submit an updated budget request for ORR to reflect these costs?***

Response: HHS is closely monitoring its shelter capacity needs in coordination with our interagency partners, evaluating its resource needs and, if necessary, will seek to maximize currently available resources and authorities. As always, we will continue to work with Congress as we learn more.

Leahy Q5: ***Please provide the average duration in ORR for unaccompanied children on a monthly basis for FY 2014 through FY 2018 (to date).***

Response:

FY 2014	Average Length of Stay
Oct	40
Nov	37

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Dec	33
Jan	40
Feb	35
March	26
April	24
May	21
June	16
July	19
Aug	25
Sept.	29

FY 2015	**Average Length of Stay**
Oct	31
Nov	30
Dec	30
Jan	32
Feb	34
March	32
April	29
May	31
June	31
July	32
Aug	35
Sept.	35

FY 2016	**Average Length of Stay**
Oct	33
Nov	34
Dec	32
Jan	32
Feb	35
March	35
April	33
May	32
June	35
July	38
Aug	39
Sept.	38

FY 2017	**Average Length of Stay**
Oct	34
Nov	34
Dec	34

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Jan	38
Feb	43
March	57
April	77
May	74
June	61
July	42
Aug	35
Sept.	40

FY 2018	**Average Length of Stay**
Oct	42
Nov	44
Dec	44
Jan	50
Feb	56
March	56
April	52

Leahy Q6: Reports confirm that your agency is inspecting four military instillations for their suitability to shelter unaccompanied minors and children separated from their families at the border. The Obama administration resorted to temporarily sheltering children in military installations after an unexpected surge in border crossings by unaccompanied minors. However, your agency is proactively searching for more space to house children. These inspections comes just weeks after the Trump administration announced a new "zero tolerance" prosecution policy that will separate potentially thousands of additional children from their families and send them into your agency's care. ***How many additional children is your agency expecting to shelter in these military installations as a result of the Trump administration's new "zero tolerance" prosecution policy?***

Response: HHS is closely working with our DHS partners to anticipate and plan for the potential number of unaccompanied alien children (UAC) referrals and their length of stay in our care.ORR uses influx care facilities only until space in a state-licensed care facility is available. Prudent planning requires HHS to proactively search for more space to house UAC during an influx situation. Similar to recent years, HHS is considering whether military facilities are a viable option for use as influx care facilities. No final decisions have been made at this time and HHS continues to evaluate the situation on an ongoing basis. As always, this program is very unpredictable and we will continue to work with Congress as we learn more.

Leahy Q7: ***Will these military installations be subject to the same regulations and standards applying to HHS facilities currently sheltering unaccompanied minors and children separated from their families at the border?***

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Response: HHS has policies in place for all influx care facilities that are in compliance with the *Flores* agreement. These policies are found in Section 1.7 of the *ORR Guide: Children Entering the United States Unaccompanied*. In the event a military base is used to house UACs, the policies in Section 1.7 would apply.

Leahy Q8: *Will uniformed and armed military personnel be assigned duties that require them to interact with children sheltered at these military installations?*

Response: No. HHS remains responsible for the care, supervision, and services for all UAC in HHS custody. Consistent with past practice, HHS only occupies unused portions of DoD installations.

Refugee Resettlement

For Fiscal Year 2018, the Trump administration established a refugee admissions level of 45,000 – a historic low particularly when considering the scale of the global humanitarian crisis we face. But even more troubling, as of May – more than midway through the current fiscal year – only 12,000 or so refugees have been resettled. At this pace, the administration will not even resettle half of the 45,000 refugees it has committed to admitting this fiscal year.

Leahy Q9: ***What are the Office of Refugee Resettlement's projections for the number of refugees it expects to serve and resettle for the remainder of Fiscal Year 2018?***

Response: ORR does not have a role in the admission of refugees and is therefore not in the best position to estimate the number of refugees that will arrive. ORR will continue to provide services to all refugees who apply and meet eligibility requirements.

Low Income Home Energy Assistance Program:

In January of this year, 44 Senators and I wrote to the President in support of including funding for the Low Income Home Energy Assistance Program (LIHEAP) in the President's FY19 Budget. Unfortunately, the Administration chose to again eliminate this lifesaving program. In a response to our letter, Office of Management and Budget (OMB) Director Mulvaney cited a GAO report from 2010, which observed patterns of fraud and abuse in the program as one of the justifications for eliminating funding. OMB Director Mulvaney's letter contends that taxpayer dollars need to be spent efficiently and in an accountable manner and that LIHEAP is susceptible to fraud and abuse. GAO's 2010 report makes six recommendations which, according to GAO, were all implemented even before the report was released.

Leahy Q10: ***If HHS has indeed implemented all of GAO's recommendations, as GAO has noted, what new examples can you provide regarding whether the program still susceptible to fraud and abuse, and how so?***

Response: The program's susceptibility to fraud and abuse is only one of the reasons for not funding LIHEAP. LIHEAP is not the only program helping low-income households pay their heating and cooling bills. State and local governments provide significant funding assistance,

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and the majority of states prohibit utilities from discontinuing a household's energy in periods of severe weather.

Leahy Q11: Families in Vermont often have to make impossible choices between putting food on the table, medical care or home heating. ***Do you believe assisting low income families with heating costs is a worthy objective?***

Response: LIHEAP is not the only program helping low-income households pay their heating and cooling bills. State and local governments provide significant funding assistance, and the majority of states prohibit utilities from discontinuing a household's energy in periods of severe weather.

Leahy Q12: ***Do you support elimination of the LIHEAP Program? If so, why?***

Response: The HHS Budget reflects a commitment to exercising fiscal stewardship by streamlining government services and making the best possible use of taxpayer dollars. We are proposing the elimination of this program to prioritize funding for other human services activities. LIHEAP is not the only program helping low-income households pay their heating and cooling bills.

Questions from Senator Durbin (IL)

Child Trauma.

Experiencing traumatic events—such as witnessing violence or a parent's opioid addiction—can create toxic stress on a young child's developing brain and body. Exposure to these sorts of traumas (also known as adverse childhood experiences) at a young age increases the likelihood that children enter the foster care system, misuse substances, face mental health challenges, or develop chronic diseases—all health consequences that the Department seeks to address through various grant programs. Effective interventions and tools exist to mitigate the impact of trauma and to prevent long-term negative health outcomes, such as by strengthening protective factors, building nurturing environments, encouraging trauma-informed practices, and building strong two-generational interventions. It is imperative that these child-serving systems that may come into contact with children and families that have experienced trauma have the training and resources to identify and support such children with appropriate interventions and referral systems.

Along with Senator Capito and leadership of this Subcommittee, I included report language in the FY18 Senate Labor-HHS-ED appropriations bill, which was effectuated with enactment of the Omnibus appropriations bill addressing activities under the Department related to children exposed to trauma (bill-wide directive found on page 14 of Senate Report 115-150). The report language encourages the Department to "examine practices already supported by Federal agencies and solicit public feedback in order to identify, recommend, and disseminate best practices for the identification, referral, and implementation of trauma-informed interventions in child and youth-serving settings" and "promote programs that incorporate trauma-informed best practices." Indeed, helping children and families cope with traumatic experiences can help uplift our communities and improve health outcomes, and is a cost-effective way to fulfill the mission of the Department.

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Durbin Q1: ***How is your Department implementing this report language to better support children who have faced traumatic experiences?***

Response: The Department continues to enhance coordination, identify trauma-informed best practices, and promote programs to identify, appropriately refer, and implement supportive interventions for, children and their families who have experienced trauma.

The HHS Strategic Plan, FY 2018-2022 addresses trauma as part of our strategic goal to strengthen the economic and social well-being of Americans across the lifespan. The Strategic Plan recognizes how trauma has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being. HHS supports multiple trauma-informed care initiatives[3] to integrate a trauma-informed approach into health, behavioral health, and related systems, to reduce the harmful effects of trauma and violence on individuals, families, and communities. HHS also works across the Federal Government, and with States, territories, Tribes, and faith-based and community organizations, to address trauma associated with injuries and violence.

The Office of the Assistant Secretary for Planning and Evaluation (ASPE) has initiated an informal interagency working group on child trauma that includes partners within HHS, such as Administration on Children and Families, the Health Resources and Services Administration, the Centers for Disease Control and Prevention, and the Substance Abuse and Mental Health Administration (SAMHSA), along with federal partners in agencies outside HHS, including the Departments of Justice, Education, and Labor. ASPE hosts a monthly call of this working group for the purpose of coordination of federal efforts on child trauma, and is working to understand both the scope of work across agencies and any coordination efforts on the ground in local communities receiving federal funding for trauma-informed interventions for children, youth, and their families.

HHS funds 23 State health departments through the Core State Violence and Injury Prevention Program,[4] which helps States implement, evaluate, and disseminate strategies that address the most pressing injury and violence issues, including child abuse and neglect, traumatic brain injury, domestic violence, and sexual violence. HHS also works across the Federal Government, and with States, territories, Tribes, and faith-based and community organizations, to address trauma associated with injuries and violence.

For example, we will expand bullying prevention and youth dating violence prevention partnerships to support safety and well-being. We will assess, and increase, the capacity of medical and behavioral health practitioners, nonprofits, faith-based and community organizations, licensed social workers, child welfare professionals, housing authorities, and public health agencies to provide comprehensive and survivor-informed services for victims of human trafficking. HHS will enhance the cultural competence of the workforce in the delivery of social services to children, youth, and families through research, technical assistance, and training, including information on addressing and mitigating the impact of trauma. We will also

[3] https://www.cdc.gov/injury/stateprograms/index.html
[4] https://www.cdc.gov/injury/stateprograms/index.html

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support the integration of trauma-informed, family-focused behavioral health services with pediatric primary care.

Most recently, the HHS Substance Abuse and Mental Health Services Administration and the Administration of Children and Families co-hosted a human trafficking and child trauma expert panel meeting on May 2-3, 2018, to inform recommendations on how to strengthen prevention, clinical care and coordination, and the availability of resources and technical assistance to address both the impact of exploitation and to mitigate trauma that puts individuals at greater risk for human trafficking.

HRSA supports several programs for health care, clinician training, and research to improve access for vulnerable and underserved populations, many of whom have experienced or witnessed trauma. HRSA supports programs that train pediatric primary care providers to recognize exposures to adverse childhood experiences, as well as programs that promote trauma informed care in school-based settings. The Bright Futures: Guidelines for Health Supervision of Infants, Children, and Adolescents provides evidence-driven recommendations for health care professionals to address during well-child visits, including social determinants of health such as poverty, parental mental illness or substance use, and parental incarceration. HRSA also leads a federal interagency effort to improve emergency care for children experiencing mental health crisis in rural areas, which encourages identification, referral, and treatment of trauma. Additionally, HRSA has developed and adopted an agency-wide Strategy to Address Intimate Partner Violence, committing to making a systems-level impact on intimate partner violence and trauma awareness, screening, and treatment across the health care and public health sectors.

ASPE is also funding research in the upcoming fiscal year that will formally scan federal agencies to identify supported approaches and promote programs that incorporate trauma-informed best practices aimed at building resilience in children, youth and their families. Previously, as part of the Behavioral Health Coordinating Committee, ASPE participated in efforts to compile the HHS Guide to Trauma-informed Human Services[5], an online compendium of federal and federally supported resources that provides an introduction to the topic of trauma and a roadmap to information relevant to human services agencies.

The Children's Health Act of 2000 authorized the Substance Abuse and Mental Health Services Administration (SAMHSA) to develop a national grant program to focus on child and adolescent trauma, the National Child Traumatic Stress Initiative (NCTSI). The purpose of the NCTSI is to improve the quality of trauma treatment and services in communities for children, adolescents, and their families who experience or witness traumatic events, and to increase access to effective trauma-focused treatment and services for children and adolescents throughout the nation. The initiative addresses child trauma issues by creating a national network of grantees—the National Child Traumatic Stress Network (NCTSN) or Network—that works collaboratively to develop and promote effective trauma treatment and services for children, adolescents, and their families. The NCTSN is a unique network of frontline providers, family members, researchers, and national partners committed to changing the course of children's lives by improving their care and moving scientific gains quickly into practice across the United States.

[5] https://www.acf.hhs.gov/trauma-toolkit

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The NCTSN is comprised of three types of centers:

- The National Center for Child Traumatic Stress (NCCTS) - (Category I) develops and maintains the collaborative network structure, supports resource development and dissemination, and coordinates the Network's national child trauma education and training efforts.
- The Treatment and Service Adaptation Centers (TSA) - (Category II) are intended to have broad geographic coverage and expertise in a range of trauma areas, service systems, settings, and populations. TSA centers provide training and consultation to support the specialized adaptation and implementation of effective evidence-based treatment and service approaches for communities across the Nation.
- The Community Treatment and Services Centers - (Category III) provide and increase access to effective trauma-focused treatment and services in community settings and youth-serving systems.

The NCTSN Learning Center for Child and Adolescent Trauma, https://nctsn.org, offers over 300 web-based training resources that has supported approximately 200,000 users across the country. In addition, the Learning Center hosts live training events. The dissemination of standardized, effective, trauma-informed clinical interventions is a central means by which the NCTSN seeks to advance the standard of care for traumatized children and to increase the nation's capacity to meet the needs of these children. In recognition of the diverse needs of the child and adolescent populations served by NCTSN sites across the country, over 30 interventions and treatments developed or adapted by the NCTSN have spanned a continuum of evidence-based and evidence-supported interventions ranging from rigorously evaluated interventions to promising and newly-emerging practices.

Maternal and Infant Mortality.

The U.S. is one of only 13 countries in the world where new moms are dying at rates higher today than they were 25 years ago. Women of color are three to four times more likely to die from pregnancy-related complications than white women. Our babies are not faring better—in 1960, the U.S. ranked 12th among developed countries in infant mortality. Today, we rank 32nd out of 35. Black infants in America are twice as likely to die as white infants. We know that increasing women's access to health care would help – which is why we should not allow "junk plans" that exclude maternity benefits and why the 18 states who have refused to expand Medicaid should do so immediately.

Durbin Q2: ***But, what else should HHS be doing to address this problem?***

Response: HRSA is committed to improving the health of women, infants and children including addressing disparities in maternal and infant mortality and morbidity. The response to Q2A below includes additional descriptions of HRSA's ongoing investments to address maternal and infant mortality and morbidity. HRSA programs focus on continuous quality improvement and ways to improve our impact, as well as enhance the capacity of states and stakeholders to address these public health issues. For example, HRSA supports the Alliance for Innovation on Maternal Health and Safety Initiative, or AIM, a national data-driven maternal safety and quality

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improvement initiative that implements maternal safety bundles - small, straightforward sets of evidence-based practices that, when performed collectively and reliably, have been proven to improve patient outcomes – within birthing facilities to address leading causes of maternal death, such as hemorrhage and hypertension. Through AIM, HRSA works directly with women's health practitioners in birthing facilities reaching 1,780,000 annual births or 45 percent of all annual births in the U.S. In FY2018, HRSA is doubling the investment in AIM to $2 million to support the existing state teams and add 25 new state-based teams. Further expansion of evidence-based safety bundles in all states would increase the chances of improving outcomes such as those we've seen with AIM investment to date.

As another example, HRSA is building on early successes from its Collaborative Improvement and Innovation Network (CoIIN) on Infant Mortality which seeks to reduce infant mortality in areas with high annual rates, as well as disparities in infant mortality and related perinatal outcomes, through support of collaborative improvement, collaborative innovation, and the spread and scale of best practices to reduce infant mortality. The CoIIN launched in 2012 at the request of southern state health officials, and was the first multi-state public health quality improvement initiative to address infant mortality. A recent study led by HRSA researchers evaluated data from 2011-2014, comparing outcomes before and after the CoIIN's original 18-24 month project period in the Department of Health and Human Services Regions IV/VI.[1] Early elective delivery decreased by 22 percent in the South, versus 14 percent in other regions. Alabama and Louisiana showed the largest reductions in the nation at more than 40 percent. Results in the South also showed that the rates of stopping smoking during pregnancy increased by 7 percent, infant back sleep position increased by 5 percent, and preterm birth fell by 4 percent; other regions only showed improvements of 2 percent for each of the outcomes measured. Preliminary data indicating CoIIN's success in the South and in the subsequent national expansion to all states (2014-2017) led to current HRSA support of four IM CoIIN teams aiming to improve preconception health, increase use of early prenatal care, increase safe sleep practices, and address social determinants of health. Twenty-one states are participating in the current phase of IM CoIIN.

Durbin Q2A: ***What HHS programs are most important for improving maternal and infant health outcomes and addressing these stark racial disparities?***

Response: HRSA supports several programs and activities to improve the health of America's mothers, infants, and children in order to ensure that all children and families are healthy and thriving, and have a fair shot at reaching their fullest potential. The HRSA-supported Title V Maternal and Child Health Services Block Grant program, a federal-state partnership, helps reduce health disparities, improves access to health care, and improve the quality of health care for mothers and children in 59 states and territories. Title V federal funds, combined with state investments, support service systems that address maternal and child health needs identified by each state such as reducing infant mortality; assuring access to care for all mothers and children; providing comprehensive care for all women before, during, and after pregnancy and childbirth; providing preventive and primary care services for all infants, children, and adolescents; and providing comprehensive care for children and adolescents with special health care needs.

[1] https://www.hhs.gov/about/agencies/iea/regional-offices/index.html

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HRSA also supports community-based strategies to reduce disparities in infant mortality and improve perinatal outcomes for women and children in high-risk communities through the Healthy Start program. Healthy Start empowers high-risk women and their families to identify and access comprehensive health and social services to improve the health of mothers and children before, during, and after pregnancy. Healthy Start targets communities with infant mortality rates that are at least 1½ times the U.S. national average and/or with high indicators of poor perinatal outcomes, particularly among non-Hispanic Black and other disproportionately affected populations. Healthy Start funds 100 competitive grants that reach 127 counties in 37 States and the District of Columbia.

Another key program in improving maternal health outcomes is HRSA's Alliance for Innovation in Maternal Health Initiative (AIM). AIM seeks to prevent maternal deaths and cases of severe maternal morbidity by working with states and hospitals to implement maternal safety bundles - small, straightforward sets of evidence-based practices that, when performed collectively and reliably, have been proven to improve patient outcomes. AIM is working with 13 states and more than 667 hospitals and targets complications including obstetric hemorrhage, severe hypertension, and venous thromboembolism, and also seeks to avoid low-risk primary cesarean births and reduce racial disparities associated with prenatal care. Additionally, HRSA is working to improve women's health prior to pregnancy by focusing on women's preventive services. Through a coalition of experts, HRSA maintains the Women's Preventive Services Guidelines which identifies certain preventive health screenings and services to be provided without cost-sharing. These guidelines help ensure women have access to standard level of care.

Lastly, HRSA supports voluntary, evidence-based home visiting services during pregnancy and to parents with young children up to kindergarten entry through the Maternal, Infant and Early Childhood Home Visiting (MIECHV) Program. Among the ways the program seeks to improve the lives of children and families, the MIECHV program focuses on improving maternal and child health outcomes. In these voluntary programs, trained professionals meet regularly with expectant parents or families with young children in their homes, building strong, positive relationships with families who want and need support. MIECHV state and territory grantees provided nearly 4.2 million visits from FY 2012 through FY 2017. In FY 2017 states reported serving more than 156,000 parents and children in 893 counties across all 50 states, the District of Columbia, and five territories. In addition, a recent report on maternal mortality review committee data showed mental health conditions (including substance use disorders) to be one of the leading causes of pregnancy-related death. The MIECHV Program supports mothers who experience depression by providing support, resources and referrals, as needed. In FY 2016, 44 states reported comparable data on maternal depression. The overall screening rate among these 44 states was 82 percent, with 15 states reporting screening rates of 95 percent or more.

Durbin Q2B: ***Do you believe that the Medicaid program should cover postpartum care for longer than the currently required two months?***

Response: We are committed to making sure the right patient gets the right treatment at the right time. While the Federal government establishes general guidelines for Medicaid, states design, implement and administer their own programs. HHS believes that States understand best

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the unique needs of their residents and has committed to restoring balance to the Federal and State partnership. Through our Maternal and Infant Health Initiative, which is designed to improve the rate and content of postpartum visits and increase the use of effective methods of contraception among women in Medicaid and CHIP, CMS works to provide States with the information they need to inform their policies. Through this initiative, CMS has offered states several reports, webinars, and opportunities to share best practices. In addition, to support HHS's maternal and perinatal health-focused efforts, CMS recently identified a core set of measures for voluntary reporting by state Medicaid and CHIP agencies that will be used by CMS to measure and evaluate progress toward improvement of maternal and perinatal health in Medicaid and CHIP.

Opioids/CDC Guidelines for Doctors.

Pharmaceutical companies bear the lion's share of blame for today's opioid epidemic—for misleading doctors and the public about the risks of opioids and for over-producing prescription painkillers (14 billion). But from there, opioids get to Americans from a prescription pad —for every 100 patients who receive a one-week opioid prescription, 9 of them will still be taking opioids one year later.

Four out of five recent heroin initiates report prior nonmedical pain reliever use—

The CDC recognizes that the medical community must be part of the solution and employ more responsible opioid prescribing. The CDC released the "Opioid Prescribing Guidelines for Chronic Pain," a guideline that was sent to every practitioner nationwide. These guidelines are clear—they state: "in general, do not prescribe opioids as the first line treatment," and recommend "less than 3 day supply for acute pain."

Durbin Q3: ***Should opioid prescribers have to go undergo mandatory training on the latest knowledge about the risks and benefits of opioids?***

Response: The Department is engaging on multiple fronts with respect to education of health care providers, and in particular, prescribers, on the risks and benefits of opioids.

CDC supports the education of prescribers on the risks and benefits of opioids as well as safe and effective pain management, including the recommendations included within the CDC Guideline. While enacting and executing decisions around mandatory education of providers falls outside of CDC's purview as an agency, CDC would encourage the widespread dissemination and education of safer opioid prescribing practices given that such guidance is informed by the best available scientific data. The ways in which CDC encourages the uptake and use of the recommendations within the Guideline include the sharing of the Guideline document itself, as well as other resources developed through various channels. CDC has created an interactive training series and a webinar series for healthcare providers that offer the ability to earn continuing education credits. The interactive, web-based training features self-paced learning, case-based content, knowledge checks, and integrated resources to help healthcare providers gain a deeper understanding of the Guideline. Another way in which CDC is working to operationalize Guideline recommendations within clinical practice is through the development and piloting of Guideline-informed quality improvement (QI) measures. CDC has developed voluntary QI measures, aligned with the recommendations contained in the Guideline, which are

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intended to support practice improvement for primary care practices by tracking opioid prescribing and providing feedback to clinicians through a data dashboard.

CDC-funded state health departments also are involved with a wide breadth of work related to provider outreach and education. One particular strategy to align opioid prescribing practices with Guideline recommendations is to implement academic detailing, a practice where unbiased and evidence-based information is presented to medical providers to affect behavior change. The in-person and one-on-one academic detailing session is based on principles of social marketing and the health behavior model. Across CDC's program portfolio, each funded state has different programmatic goals and resources for planning and implementing provider outreach and education. Currently, about a third of the states funded through CDC's Prevention for States program are engaging in work that use the principles of academic detailing as a model to drive behavior change among providers.

Specific to medical education, CDC sees a benefit in facilitating the use and uptake of the Guideline within curricula across the continuum of medical education, including medical education programs, residency training and transition into the clinical workforce, and continuing medical education. Shortly following the release of its Guideline, CDC engaged with 60 medical schools that previously had pledged to incorporate some aspect of the Guideline within their respective educational curricula for the forthcoming academic year. While the discussions were beneficial, CDC learned that each academic institution operates very differently and that there is inherent value for organizations to share and learn promising strategies from their peers, as opposed to from CDC as a federal entity.

To that end, CDC has newly initiated work toward the planning and implementation of a convening of leaders across the continuum of medical education, in order to highlight best practices and strategies in aligning curricula, training, and continuing education with safer opioid prescribing practices, including those enumerated within the Guideline. CDC aims to engage leaders and program directors who represent entities across undergraduate and graduate medical education, residency training programs, and faculty continuing medical education programs. Such individuals may include, but may not be limited to, those at the highest level of leadership (i.e., Deans of Medical Schools, Heads of Residency Programs), those who direct curricula development and implementation, and any others who make decisions on behalf of entities whom we would want to engage through this work. As a result of this convening, CDC would aim to have in place an implementation guide highlighting strategies across the continuum of medical education and clinical training that would be of value to the broader field. Additional outcomes would also include increasing CDC knowledge and insight on how current Guideline translational tools and resources are used and how CDC can address remaining gaps with future materials, as well as determining the needs of educators on the front lines of medical education on how best to integrate safer opioid prescribing practices within curricula.

In addition to external entities mentioned above, CDC also regularly collaborates with federal partners to implement the Guideline and to ensure alignment across the federal landscape. For example, the Department of Veterans Affairs, Department of Defense, and the Indian Health Service released an updated clinical practice guideline for opioid therapy for chronic pain based in part on the CDC Guideline. The Centers for Medicare & Medicaid Services (CMS) has also

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changed program quality measures and Medicare's Merit-based Incentive Payment System quality measures to be consistent with the Guideline (e.g., on high-dose opioid prescribing, review of PDMP data). CDC shares updated Guideline resources and educational materials with fellow agencies that can help inform their efforts. These collaborations extend to its partners in public safety as well. Earlier this year, DEA sent an email notification to 1.7 million registrants to encourage Guideline-concordant care among providers.

FDA's Opioid Policy Steering Committee is currently considering the issue of whether opioid prescribers should have to undergo mandatory training, taking into account comments it has received from two recent FDA public hearings on the opioid crisis. FDA recently announced its plans to expand the risk management plans (known as Risk Evaluation and Mitigation Strategies, or REMS) – with which it requires the manufacturers of certain opioids to comply – to incorporate, for the first time, all opioid analgesics that are intended for use in the outpatient setting, including the immediate-release formulations. FDA has revised the associated Blueprint for how providers should be educated about prescribing opioids, and it is requiring this training be made available to all providers likely to come into contact with patients who are prescribed these medicines, including nurses and pharmacists.

In addition to changing their quality measures, CMS has undertaken a number of other steps to help decrease opioid prescribing and to educate providers about the risks to beneficiaries. In the 2019 Medicare Parts C and D Final Call Letter, CMS finalized a new policy that requires Part D sponsors to implement a hard safety edit to limit initial opioid prescription fills for the treatment of acute pain to no more than a 7 days' supply for opioid naïve beneficiaries. For chronic opioid users, CMS finalized the expectation that all sponsors implement real-time safety alerts at the time of dispensing as a proactive step to engage both patients and prescribers about overdose risk and prevention, including use of a new opioid care coordination edit at 90 morphine milligram equivalent (MME) per day and additional soft safety edits to alert the pharmacist about duplicative opioid therapy and concurrent use of opioids and benzodiazepines. The care coordination edit and other opioid-related strategies implemented for Part D beneficiaries finalized in the Call Letter support adoption of the CDC Guideline for Prescribing Opioids for Chronic Pain. Through parallel rule-making, CMS also implemented the provisions of the Comprehensive Addiction and Recovery Act of 2016 (CARA) that provide for a drug management program under which Part D sponsors will be able to limit at-risk beneficiaries' coverage for frequently abused drugs to certain prescribers and pharmacies ("lock-in"). In addition, CMS has sent 24,000 letters to Medicare physicians that were prescribing at higher rates than their peers. CMS is also working to promote effective, alternative pain treatments that are not as addictive as opioids, including by disseminating best practices guidance to state Medicaid agencies. These actions and many more will be taken as part of CMS's three part response to the opioid epidemic, focusing in prevention, treatment, and data.

With the increases received in FY 2018 for opioids, HRSA will support current Behavioral Health Workforce Education and Training grantees who partner with health centers to develop integrated, interprofessional care teams to improve access to opioid use disorder and other substance use disorder treatment.

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Questions from Senator Marco Rubio (FL)

CMS recently proposed a rule for 2019 Medicare hospital payments. This proposal mentioned revising the Medicare payments for the cutting edge immunotherapies, known as CAR-T therapy. Oncology drugs are often administered on an outpatient basis, but these new CAR-T therapies must be given on an inpatient setting. Yet, the costs of these drugs are only really covered by CMS if administered on an outpatient basis.

CMS' recent IPPS proposal would not go into effect until 2019, yet Moffitt Cancer Center is one of two NCI-designated cancer centers that is capable of administering both of these breakthrough CAR-T treatments. Because of Moffitt's commitment to patients, they are absorbing the difference between the price of the drug, which is either $373,000 or $475,000, and the $20,000 that Medicare reimburses. But Moffitt cannot do this forever.

Rubio Q1: ***Would you be willing to work with cancer centers like Moffitt to address the reimbursement shortfalls that are taking place through 2018, before CMS' proposed payment reforms go into effect?***

Response: HHS/CMS is considering the potential challenges in Medicare payment structures for new treatments like CAR-T therapies. Two CAR T-cell therapy drugs received FDA approval in 2017 – Novartis's Kymriah and Kite Pharma's Yescarta. For Medicare, CAR-T therapy is paid for use in the hospital outpatient setting under the Outpatient Prospective Payment System (OPPS), and in the hospital inpatient setting under the Inpatient Prospective Payment System (IPPS).

In the hospital outpatient setting, effective April 1, 2018, both Kymriah and Yescarta have been approved for transitional pass-through payment status under the OPPS. Drugs under pass-through status are generally paid at average sales price plus 6 percent.

Under the IPPS, payment for CAR-T is currently bundled into the Medicare payment for the inpatient stay and thus there is no separate CAR-T payment rate. In the fiscal year (FY) 2019 Medicare IPPS proposed rule, CMS proposed the assignment of CAR-T related procedure codes to the bone marrow transplant diagnosis related group. CMS also invited comments on alternative approaches to establishing payments for FY 2019.

CMS has received applications for IPPS new technology add-on payments for Kymriah and Yescarta for FY 2019. It is also seeking public comment on these applications in the FY 2019 IPPS proposed rule. Under the new technology add-on payment policy, one of the criteria for an additional payment is that the technology represents an advance in medical technology that substantially improves, relative to technologies previously available, the diagnosis or treatment of Medicare beneficiaries. The deadline for submitting comments on the FY 2019 IPPS proposed rule is June 25.

However, because Moffitt Cancer Hospital is a PPS-Exempt Cancer Hospital it is generally paid based on reported cost and not under the Inpatient Prospective Payment System.

Questions from Senator Reed (RI)

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Preserving funding for the Low Income Home Energy Assistance Program (LIHEAP) has been a bipartisan priority that I have been proud to work on each year with my colleague from Maine, Senator Susan Collins. While this Administration has proposed eliminating this vital program, I was pleased that the recent Omnibus appropriations law provided an additional $250 million, and that HHS promptly distributed those funds to states.

Reed Q1: ***Do you intend to continue HHS' longstanding commitment to ensuring that vulnerable households have access to home energy assistance? Will you also commit to distributing these funds to states as quickly and at as high a level as possible, based on Congressional appropriations?***

Response: The HHS Budget proposed the elimination of this program to prioritize funding for other human services activities. LIHEAP is not the only program helping low-income households pay their heating and cooling bills. State and local governments provide significant funding assistance, and the majority of states prohibit utilities from discontinuing a household's energy in periods of severe weather.

Once LIHEAP funds are appropriated, HHS is committed to distributing them as quickly as possible. The FY 2018 Omnibus, included $3.6 billion for LIHEAP, an increase of $250 million above the FY 2017 appropriation. All remaining FY 2018 LIHEAP funding was released to states on April 23, 2018.

Reed Q2: The child welfare community in Rhode Island is enthusiastic about the opportunity to transform the approach to foster care through the Families First Prevention Services Act. ***When does the Department plan to issue regulations or guidance to implement the new law?***

Response: We intend to provide maximum flexibility to states in our implementation of Families First. As such, we will use subregulatory guidance in order to transmit instructions to states and tribes on how to comply with the changes whenever possible. We expect to issue such guidance in the form of Program Instructions (PI) as soon as July on the title IV-B and Chafee programs, the changes to the title IV-E Foster Care Maintenance Payments (FCMP) Program, the title IV-E Adoption Assistance phase-in delay, and the optional effective date delays. HHS will implement the title IV-E Prevention Services Program through PIs that we expect to publish in the first quarter of federal fiscal year 2019, most likely near the end of this calendar year.

Reed Q2A: ***What are the plans for technical assistance to help states build the capacity and infrastructure to implement it?***

Response: ACF's implementation plan includes the provision of training and technical assistance to states as we roll out guidance over the summer. For example, SAMHSA and ACYF jointly fund the National Center on Substance Abuse and Child Welfare, which is available to assist states with developing collaborative practices to expand access to family-centered treatment services on a system-wide basis.

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Reed Q3: There have been recent reports that the Department of Health and Human Services is making arrangements to house migrant children on military bases in anticipation of an increase of unaccompanied immigrant minors due to the Administration's new policy to separate children of asylum seekers from their parents. ***Please provide details of the Department's discussions with the Department of Defense and the Department of Homeland Security on these plans, including the legal authority to separate families, detain children, and hold them in custody in this manner.***

Response: HHS's authority extends only to children that meet the legal definition of an unaccompanied alien child found at 6 U.S.C. 279(2) as determined by DHS. HHS defers to DHS concerning the separation of families. HHS's authority for, and obligation with respect to, the care and custody of UAC is found in the Homeland Security Act of 2002 and the Trafficking Victims Protection Reauthorization Act of 2008. Under these statutes, and in accordance with the Flores v. Reno Settlement Agreement, HHS may place children in temporary emergency shelters, which may include temporary shelters located on a military installation, when there is a situation where HHS's normal bed capacity is overwhelmed. The policies governing an influx can be found in Section 1.7 of the ORR Guide: Children Entering the United States Unaccompanied. ORR will examine other available non-DoD installation options before attempting to open an influx care facility on DoD property.

Reed Q3A: ***Has the Department estimated how many children will be placed in its custody?***

Response: We are closely working with our DHS partners to plan for expansion of program capacity, similar to activities in past years when large numbers of unaccompanied alien children (UAC) were referred to ORR for care. The UAC program will consider potential impacts, including number of UAC referrals, length of stay in our care, capacity needs, and cost estimates. As always, this program is very unpredictable and we will continue to work with Congress as we learn more.

Reed Q3B: ***What accommodations are being considered for young children and minors with special needs?***

Response: HHS has policies in place to ensure that all children in its care have their needs met. HHS does not place children under the age of 13 or a child with special needs in an emergency influx care facility.

Reed Q3C: ***What are the potential impacts on the children's health and well-being from being forcibly separated from their parents and detained on a military base? Does the Department have a plan to mitigate these impacts?***

Response: HHS works to ensure that each UAC's needs are met while they are in the care of the agency. All care facilities have clinicians and case managers to provide support and counseling to UACs.

Reed Q3D: ***Does the department track and make available any data on negative health effects experienced by children who are separated from their parents and detained in this manner?***

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Response: ORR does not systematically track or make publicly available data on the health needs of UACs.

Reed Q4: ***Do I have your commitment to spend these funds to expand the number of funded states and allow currently funded states to expand their lead poisoning prevention programs?***

Response: The FY 2018 Omnibus provided $35 million in funding for CDC's Childhood Lead Poisoning Prevention Program, representing an $18 million increase over FY 2017. In FY 2017, CDC funded a total of 48 funded programs from 38 states, 5 large cities, 4 counties, and the District of Columbia. In FY 2018, CDC anticipates funding additional state, local, territorial, or tribal agencies, as well as providing supplemental funding to enhance activities for the 48 existing funded programs for the following four lead poisoning prevention strategic activities related to:

1) Strengthening blood lead testing
2) Strengthening surveillance
3) Strengthening linkages to ensure children exposed to lead receive appropriate follow-up services

Strengthening population-based interventions

Reed Q5: My bipartisan legislation with Senators Capito and others, the Childhood Cancer Survivorship, Treatment, Access, and Research (STAR) Act, recently passed the Senate. Should this legislation be passed by the House and signed into law, as is expected, how do you plan to implement the STAR Act's provisions to do expand biorepositories, improve surveillance of childhood cancer, develop best practices for the treatment of late effects of childhood cancers, improve collaboration among providers so that doctors are better able to care for this population as they age, and create innovative models of care for childhood cancer survivors establish. ***Will you join us in supporting funding for the initiatives authorized in the legislation?***

Response: Thank you and your colleagues for your leadership and support for childhood cancer research. HHS appreciates that the STAR Act aims to build upon and complement childhood cancer research and programs already underway with HHS support, including at the National Institutes of Health (NIH), the National Cancer Institute (NCI), and the Centers for Disease Control and Prevention (CDC). If the STAR Act is signed into law, HHS will certainly work to implement its provisions to the best of our ability with the funds made available to us by Congress.

HHS remains committed to advancing progress for childhood, adolescent, and young adult cancer patients and survivors and their families. NIH and NCI will continue to support critical investments in childhood cancer survivorship research, including the Childhood Cancer Survivor Study; and pediatric biospecimen collection and related resources, including the Children's Oncology Group Biorepository and the Pediatric Cooperative Human Tissue Network. CDC will continue to support and improve surveillance on childhood, adolescent, and young adult cancers through its National Cancer Registries Program. Research supported by NCI and other NIH Institutes and Centers will continue to inform best practices in long-term pediatric cancer

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survivorship care, including the treatment and management of the late effects of cancer therapy. HHS will leverage pediatric oncology expertise across our operating divisions to review HHS activities related to workforce development for health care providers who treat pediatric cancer patients and survivors.

Questions from Senator Jeanne Shaheen (NH)

I continue to be concerned by the Department's proposal to increase the availability of so-called "short-term, limited-duration insurance plans" that are not required to meet consumer protection and comprehensive coverage requirements under the Affordable Care Act. These insurance policies are not required to cover preexisting conditions, are not required to cover essential health benefits and can charge sick patients more in premiums.

Shaheen Q1: ***Given the likelihood for consumer confusion resulting from the availability of these skimpy insurance products, will the Department consider restoring the advertising and consumer outreach funding for Health Insurance Marketplace coverage that was reduced by 90 percent last year?***

Response: The Federally-Facilitated Exchange will conduct its sixth Open Enrollment later this year. The Exchange is now an established marketplace for individuals seeking insurance. Last year we had our most cost effective and successful open enrollment to date. The Exchange has grown in visibility and become more familiar to Americans seeking health insurance. CMS spent more than $100 million on promotional activities during Open Enrollment 2017 (nearly double what was spent in 2015) but saw enrollments decline by 10 percent since the previous year.

The Health Insurance Marketplace advertising budget is now consistent with its advertising spending for Medicare Part D and Medicare Advantage. As a comparison, 11.8 million consumers selected or were re-enrolled in an Exchange plan during Open Enrollment 2018, while 41.3 million Americans are enrolled in Medicare Part D and another 19.1 million are enrolled in Medicare Advantage. CMS's combined advertising budget for Medicare Parts C and D is $9.7 million.

CMS will continue to leverage the capabilities of the private sector as well to ensure our partners, such as agents and brokers, are equipped with the necessary resources to educate consumers on their coverage options.

Shaheen Q2: I worked with Senator Collins on the bipartisan National Clinical Care Commission Act, which President Trump signed into law last year. I appreciate the Department's recent efforts to approve the charter for the National Clinical Care Commission and to seek nominees for the Commission. ***Can you provide any additional information on the Department's timeline for finalizing Commission membership and providing additional regulatory guidance on the Commission's activities?***

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Response: The Office of Disease Prevention and Health Promotion is coordinating the efforts of the National Clinical Care Commission. The final nominations are expected by the end of June.

Shaheen Q3: The Fiscal Year (FY) 2019 budget request would eliminate funding for the Prevention Research Center program within the Centers for Disease Control and Prevention (CDC). I am concerned about the loss of this funding and the potential impact on the important work conducted by academic and medical research centers in New Hampshire, especially in relation to seniors with health needs and individuals with mental health issues and substance use disorders. ***How does the Department of Health and Human Services (HHS) plan to fill this void if the funding is cut?***

Response: The FY 2019 Budget eliminates funding for the Prevention Research Centers (PRCs), which work with academic institutions to conduct research and disseminate prevention interventions across the United States. In FY 2018, CDC will fund PRCs at 26 universities in 24 states to study how individuals and communities can avoid or counter the risks for chronic illnesses. The PRC program has developed and evaluated many effective, practical public health strategies and programs, which can continue to be disseminated throughout the country. CDC's chronic disease prevention portfolio will continue to focus on implementation of the most effective existing interventions, working with community organizations and state and local public health agencies.

Shaheen Q4: The role of HHS in administering global health funding, including HIV/AIDS funding, means that the Department is responsible for implementing components of the expanded "global gag rule," also known as the "Mexico City Policy." HHS participated in the State Department's initial review of the policy earlier this year, but the majority of HHS grants and cooperative agreements had not received new funding at the time of review. ***How are agencies within HHS monitoring the effect of this policy on women's access to health care, including a full range of family planning methods and counseling, rates of unsafe abortion and maternal mortality?***

Response: To assess the impact of the policy on HIV/AIDS services, the President's Emergency Plan for AIDS Relief (PEPFAR) will continue its routine capture, monitoring, and use of age and sex disaggregated data, by partner and by site, to track precisely whether and to what extent the Protecting Life in Global Health Assistance (PLGHA) policy may affected life-saving activities related to HIV/AIDS. The Department of State has worked closely with USAID, HHS, and DoD to implement the policy consistently, examine progress in carrying it out, and monitor its effects.

Shaheen Q5: I am very troubled that as of April 1st, halfway through the fiscal year, only 10,548 refugees have been resettled, just 23 percent of this admissions determination and 73 percent fewer than the same time period last year. ***What measures are the Office of Refugee Resettlement (ORR) taking to maintain the capacity of refugee-serving organizations across the country to provide robust assistance for refugees and to ensure the long-term sustainability of the U.S. refugee resettlement network?***

Response: ORR continues to use its current budget to support the resettlement agencies.

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Shaheen Q6: The FY 2018 Consolidated Appropriations Act accepted the Administration's proposal to consolidate funding for Targeted Assistance, Refugee Health Promotion, and Refugee Social Services under one funding line. However, Congress explicitly stated that it expects activities previously funded under the three lines to continue in FY 2018 at the same level as FY 2017. ***How is ORR administering this funding to ensure that, in compliance with this Act, these programmatic activities continue at the same level as FY 2017?***

Response: ORR will ensure funding levels for Social Services, Targeted Assistance, and Refugee Health Promotion will be funded as close to possible to FY 2017 levels within the current budget.

Shaheen Q7: The FY 2018 Consolidated Appropriations Act also includes language in Senate Report 115-150 strongly encouraging HHS to increase the percentage of eligible arrivals served by the matching grant program and to give matching grant organizations flexibility in administering their programs. ***How is ORR implementing this guidance from Congress?***

Response: As a result of a lower number of refugee arrivals, grantees are able to offer enrollment to all eligible individuals at the locations where the program is available. Additionally, and for the first time since 2007, the per-capita funding amount has increased to $2,500 from $2,200. The required grantee match also increased to $1,250. Finally, ORR continuously assesses and makes adjustments to program guidelines to ensure enrolled individuals receive high quality services leading to economic self-sufficiency while affording the grantees the flexibility to innovate in service delivery.

Shaheen Q8: Due to this Administration's newly-announced policy to separate all children from their parents when apprehended by Customs and Border Protection (CBP). ***How many additional children does ORR anticipate serving in FY 2018 who have been separated at the border from their parents?***

Response: We are closely working with our DHS partners to understand the potential impacts of their new policy on the UAC program including number of referrals, length of stay in our care, capacity needs and cost estimates. As always, this program is very unpredictable and we will continue to work with Congress as we learn more.

Shaheen Q8A: ***How does this number compare with ORR's existing capacity to serve unaccompanied children?***

Response: ORR will expand its capacity to provide shelter and care to UACs as needed.

Shaheen Q8B: ***What is the estimated cost to the taxpayer of holding these additional children under ORR custody?***

Response: We are closely working with our DHS partners to understand the potential impacts of their new policy on the UAC program including number of referrals, length of stay in our

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care, capacity needs and cost estimates. As always, this program is very unpredictable and we will continue to work with Congress as we learn more.

Shaheen Q8C: ***How does ORR plan to coordinate with DHS and DOJ to ensure continued communication and eventual reunification between parents and the children separated from them at the border and placed under ORR custody?***

Response: ORR is collaborating with DHS and DOJ to make sure that children who can be reunified with their parents are reunified in a timely and safe manner. ORR and DHS havedeveloped and issued a notice to clearly inform parents about how to contact their children in ORR's custody. ORR is also working with care providers to help link children to parents in detention.

Questions from Senator Merkley (OR)

In April, press reports indicated that the Center for Medicare and Medicaid Services had refused to grant requests from tribal governments to exempt tribal members from Medicaid work rules. A "Dear Tribal Leader" letter and subsequent related statements made by HHS personnel on the issue of American Indian and Alaska Native (Al/AN) exemption from Medicaid work requirements revealed a startlingly poor understanding of the unique legal status of Indian tribes and their members under federal law, the U.S. Constitution, treaties, and the federal trust relationship.

While I was encouraged to see that CMS dropped its erroneous claim that exempting tribes from work requirements raised civil rights issues, I remain concerned that CMS' deference to state agencies on this issue represents a further erosion of the principle of tribal sovereignty and an abdication of the federal government's trust responsibilities.

I request that you provide the Committee with the following information:

Merkley Q1: ***How much in Medicaid reimbursements did tribal and IHS providers receive in the last year for which data is available?***

Response: IHS can only provide information about federal Medicaid reimbursements. Tribal entities who have exercised self-determination directly receive their Medicaid reimbursements and are not required to report them to the IHS. For the most recent complete year, FY 2017, IHS' federal Medicaid collections were: $259,886,004.

Merkley Q1A: ***As you know, the U.S. government has a trust responsibility to provide health care to Native Americans. If a state were to impose a work requirement and knock a significant population of Native Americans off of Medicaid, how would HHS address the resulting revenue gap for tribal and IHS providers and ensure that they can continue treating their patient populations?***

Response: The Department is working with states that want to implement Medicaid community engagement requirements to ensure that the requirements are reasonable, achievable, and tailored to the goal of promoting positive health outcomes for beneficiaries. For instance, the

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Department has worked with states to include program features such as: permitting Medicaid beneficiaries to engage in a broad range of activities to satisfy the requirements (such as community service on or off tribal lands, participation in workforce participation programs including tribal workforce participation programs, caring for children or for family members with disabilities and medical conditions, or participating in substance abuse treatment); exempting from the requirements various individuals (such as those in substance use disorder treatment or rehabilitation, or those caring for family members); and requiring states to provide a range of reasonable accommodations to participants with disabilities so they can meet requirements or be exempted from them if they are unable to do so.

Merkley Q1B: ***Given that providing health care to Indian people is a federal responsibility, which is codified through numerous federal laws and treaties, why is it appropriate that States determine how Indian people are treated?***

Response: The Indian Health Service, a federal program, is the health care system for many American Indians and Alaska Natives. Members and descendants of a federally recognized tribe are eligible to receive care at IHS facilities.

Medicaid is also an important source of health coverage for American Indians and Alaska Natives, but that program is administered by states, subject to federal approval. The Social Security Act allows states to propose Medicaid demonstration projects to test innovative ways of designing and administering their state Medicaid programs. Given that Medicaid is a state-administered program, the Department requires states to consult with tribes and seek their advice on how state demonstration projects, including any community engagement requirements, would be implemented with respect to tribal members who are Medicaid beneficiaries. This longstanding policy recognizes the sovereign nature of the tribes by requiring government-to-government consultation.

Questions from Senator Schatz (HI)

Expanding access to telehealth for Medicare beneficiaries:

I was pleased to hear that you would be "very forward leaning" if you were to receive the authority from the CONNECT for Health Act to waive barriers to Medicare fee-for-service reimbursement for telehealth.

Schatz Q1: ***Please provide an update on how HHS plans to support and use telehealth to expand provider networks, improve access, and lower the cost of care.***

Response: Telehealth can provide innovative means of making healthcare more flexible and patient-centric. Innovation within the telehealth space could help to expand access to care for Medicare beneficiaries, particularly within rural and underserved areas. We are working to implement the provisions of the Bipartisan Budget Act of 2018 that support greater access to telehealth services for Medicare beneficiaries in the areas of home-based dialysis care, stroke care, and care from certain Accountable Care Organizations.

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The Centers for Medicare & Medicaid Services (CMS) has previously sought information regarding ways that it might further expand access to telehealth services within its current statutory authority, and pay appropriately for services that take full advantage of communication technologies. CMS has been reviewing comments and considering commenters' suggestions for future rulemaking and any appropriate sub-regulatory changes. Furthermore, in their Calendar Year 2018 Medicare Physician Fee Schedule Final Rule[6] released last November, CMS expanded access to Medicare telehealth services by paying for more services through new additions to the list of Medicare telehealth services and making it easier for physicians and practitioners to bill for these services.

In addition, in May 2018, CMS released the agency's first Rural Health Strategy, intended to provide a proactive approach on healthcare issues to ensure that the nearly one in five individuals who live in rural America have access to high quality, affordable healthcare; one of the five objectives of this strategy is to advance telehealth and telemedicine. In continued collaboration with CMS, agencies across HHS, including the Health Resources and Services Administration (HRSA), will work to implement this strategy. Improving access to telehealth services reflects CMS's work to modernize Medicare payments to promote patient-centered innovations. HHS looks forward to continuing its work with Congress and other stakeholders to identify additional ways in which it can further expand access to telehealth services within Medicare and reduce the administrative burden for health care providers to bill for these services.

Telehealth and Medicare Advantage:

With the passage of CONNECT for Health Act provisions in the Bipartisan Budget Agreement of 2018, Medicare Advantage organizations can account for telehealth services in their 2020 bids. Currently, in the Medicare Managed Care Manual, the Centers for Medicare and Medicaid Services (CMS) lists "Telemonitoring," "Remote Access Technologies," and "Enhanced Disease Management" as examples of possible supplemental benefits.

Schatz Q2: ***Are you planning to revise the Medicare Managed Care Manual to clarify that the use of remote monitoring and telehealth to deliver chronic care management services is a basic benefit rather than a supplementary benefit?***

Response: As part of the Balanced Budget Act of 2018, Congress passed, and the President signed into law, changes that will allow Medicare Advantage (MA) plans to offer additional telehealth benefits beyond those currently paid for in Medicare Part B (Fee-for-Service), starting in 2020. CMS knows that it is important that plans and beneficiaries have accurate and timely information about these changes in time for the 2020 plan year. As it does regularly when there are changes in Medicare Advantage, CMS will update the Medicare managed care manual to reflect those changes, as well as announcing the policy changes in the annual MA Call Letter.

Schatz Q3: ***Please provide an update on how CMS plans to address this imbalance. Is CMS willing to make a case-by-case adjustment as it did with Puerto Rico?***

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[6] https://www.gpo.gov/fdsys/pkg/FR-2017-11-15/pdf/2017-23953.pdf

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Schatz Q3A: ***Since Medicare Advantage penetration continues to grow, will CMS correct the fee-for-service spending calculation for all Medicare Advantage organizations to be more accurately representative of the expected spending for Medicare Advantage beneficiaries?***

Response to 3 and 3A: HHS is aware that areas of the country in which there are a higher proportion of beneficiaries who do not have Part B compared to the rest of the nation, such as Hawaii, face different challenges than those areas of the country that do not have a similar population. This Administration is committed to promoting healthcare choice and competition across the United States, and Medicare Advantage plays an important role in our efforts. HHS is open to having a conversation with stakeholders in Hawaii in order to better understand the unique challenges they face. CMS will continue to analyze this issue and consider whether any adjustments to the methodology on this point may be warranted in future years.

Questions from Senator Baldwin (WI)

President Trump recently signed my bipartisan RAISE Family Caregivers Act (P.L.115-119) into law, which I authored with my colleague Senator Collins. This new law would formally recognize and support the over 40 million family caregivers who are overlooked in our health care system. It helps ensure that older adults and loved ones with disabilities receive the highest quality care in their own homes. Every day, family caregivers do right by their loved ones, and I'm proud to say that we're now doing right by them. But, in order to fulfill this promise, it is essential that you begin swift implementation of the law by immediately establishing the Family Caregiving Advisory Council that is charged with providing you timely advice to inform the national Caregivers Strategy.

Baldwin Q1: ***Will you agree to work with me and Senator Collins to support family caregivers by swiftly and faithfully implementing this measure?***

Response: The RAISE Family Caregivers Act requires the Department to promote improvement of the Federal, State and community systems that support family caregivers. The two primary functions of the RAISE Act are to: 1) establish a national Family Caregiving Strategy with recommendations for ensuring person- and family-centered care, assessment and service planning, information on accessing hospice and palliative care, respite options, financial security and workplace issues, and delivering service in an effective and efficient manner; and 2) establish a Family Caregiving Advisory Council of Federal and non-Federal representatives to provide recommendations and identify best practices to recognize and support family caregivers.

The Act did not authorize the creation of new programs or services, and specified that work should be accomplished within existing resources. The Department has been exploring all options for implementing the Act with existing HHS authorities and appropriations. .

Baldwin Q1A: ***Will you commit to establishing the Advisory Council immediately in FY18?***

Response: The RAISE Act did not authorize an appropriation for the creation of new programs or services, and specified that work should be accomplished within existing resources. HHS has

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sought but not yet identified existing authorities and appropriations that would allow the Department to proceed with implementation of the Act.

Baldwin Q2: Last year in China, 192 people contracted the H7N9 strain of avian influenza and 79 died. While that virus is not jumping from birds to humans with a great rate of frequency, reports indicate that the CDC remains concerned. Recent studies show that the virus is only several mutations away from being able to easily spread from human to human, which could ignite a deadly global pandemic. It is essential – and one of my top priorities to help ensure - that our country is prepared to take on this serious health threat before it arrives. The Assistant Secretary for Preparedness and Response recently released the Public Health Emergency Medical Countermeasure Enterprise budget, which called for $632 million for FY19 for pandemic influenza. However, your HHS FY19 Budget only requests $250 million. ***Can you explain this gap in requested funding, and what HHS is doing to ensure our nation is prepared for this known health threat that may be only a plane ride away?***

Response: The Public Health Service (PHS) Act, as amended by the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (PAHPRA), requires the Office of the Assistant Secretary for Preparedness and Response (ASPR) to lead the development of a coordinated five-year budget plan for medical countermeasure (MCM) development and to update the plan annually. The 2016–2020 PHEMCE Multiyear Budget was transmitted to Congress and made publically available in December 2017.

The report includes spending estimates for the HHS PHEMCE agencies (ASPR, CDC, FDA, and NIH) that are equal to actual appropriations in FY 2016 and FY 2017, the FY 2018 President's Budget, and use a professional judgment budget to estimate potential investments for two future years (FYs 2019–2020). The spending estimates for FY 2019 are considered a professional judgment budget, which were developed without regard to the competing priorities that are considered in the budget development process. These priorities must be considered as future President's Budgets are developed. The spending estimates included in the Multiyear Budget are subject to change in the future.

The FY 2019 President's Budget was transmitted to Congress this past March. The request included $250 million for pandemic influenza activities funded from the Public Health and Social Services Emergency Fund. This funding level represents an increase of nearly $200 million over the FY 2017 appropriated level. The Department greatly appreciates the $250 million appropriated to the PHSSEF for pandemic influenza in the FY 2018 Omnibus.

ASPR continues to monitor the H7N9 strain of avian influenza. Through BARDA, ASPR has:

- Responded to the 2017 H7N9 crisis, awarding three contracts for production of approximately 20 million regimens of vaccine antigen for H7N9 influenza vaccine from the 2016–2017 Yangtze River virus lineage candidate vaccine virus provided by CDC to achieve National Pre-Pandemic Influenza Vaccine Stockpile preparedness goals; and
- Supported a clinical study to assess the safety and antigen-sparing capacity of adjuvants that are maintained in the National Pre-Pandemic Influenza Vaccine

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Stockpile, when combined with recombinant-based vaccine for the 5th Wave/Yangtze River lineage H7N9 influenza virus circulating China.

Baldwin Q2A: ***How are you ensuring we are utilizing new cell-based pandemic influenza technologies?***

Response: HHS is committed to development of new vaccine technologies, in order to improve the Nation's ability to respond to an influena pandemic, as well as to address seasonal influenza. Since 2010, BARDA has supported the licensure of both cell-based and recombinant influenza vaccine technologies. The new technologies have the potential to increase the U.S.'s manufacturing capacity and shorten the manufacturing timelines for seasonal and pre-pandemic vaccines. BARDA both utilizes these investments from a readiness and procurement stance, as well as continues to make targeted investments to further improve the Nation's preparedness posture. As part of BARDA/ASPR's pandemic influenza preparedness strategy, contracts are in place with all US licensed influenza vaccine manufacturers, including the manufacturers of recombinant and cell-based influenza vaccines, to allow production and delivery of vaccine to the United States Government in the event of a pandemic. BARDA has also purchased cell-based pre-pandemic influenza vaccine for the pre-pandemic influenza vaccine stockpile (2013 H7N9 vaccine), and is currently supporting production, stability testing, and clinical trial evaluation of recombinant and cell based pre-pandemic influenza vaccines to inform future purchases. Finally, BARDA continues to fund advanced development of these technologies, particularly cell-based pandemic influenza technologies. This funding has supported development of a more efficient manufacturing process, which if approved by FDA, will translate into greater seasonal vaccine output and faster pandemic response.

Baldwin Q3: The opioid epidemic has far-reaching and deadly public health impacts including the spread of infectious diseases. We have seen reports across the country of spikes in HIV cases linked to injected drug use, and the CDC estimates a 133% increase in acute HCV infection due to opioid use. While I am encouraged by the budget provisions that speak to the opioid crisis, I am concerned that this plan does not prioritize evidence-based public health resources, including access to primary care and preventive services, which will be needed to address outbreaks of infectious diseases. ***Can you describe how the Administration will emphasize the public health interventions, research, and workforce support necessary to prevent, track, and treat opioid-related infectious diseases?***

Response: The rising rates of infectious diseases associated with injection drug use are of great concern.

CDC is working to address bloodborne infectious diseases linked to intravenous drug use by sharing the best available science and approaches to prevent the spread of these diseases, getting people treated, and reducing the injection drug use that puts people at greater risk of getting infected. CDC is building state and community capacity for comprehensive approaches for preventing, tracking, and combating infectious diseases stemming from the opioid crisis by:

- Collaborating to help states and communities track disease patterns, determine if they are at risk for disease outbreaks, and implement proven prevention strategies.

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- Providing technical assistance to state and local health departments and community-based organizations on the most effective strategies to engage people who inject drug, and connect them to treatment and prevention services for drug use and infectious diseases.
- Using molecular surveillance to identify clusters of viral hepatitis and HIV infections. This information can direct prevention activities to stop disease transmission

With additional resources provided to CDC in FY2018 for opioids, HHS will continue to expand and enhance its comprehensive public health response to the opioids crisis by working with state, territorial, and tribal health departments to address the full range of public health consequences of opioids, including infectious diseases.

Similarly, with the increases provided in FY 2018, HRSA will expand and improve access to opioid and substance use disorder treatment through the Community Health Centers and National Health Service Corps programs.

In April 2018, the NIH launched the Helping to End Addiction Long-term (HEAL) Initiative,[7] to speed scientific solutions to stem the national opioid public health crisis. This Initiative will build on extensive, well-established NIH research, including basic science of the complex neurological pathways involved in pain and addiction, implementation science to develop and test treatment models, and research to integrate behavioral interventions with medication-assisted treatment for Opioid Use Disorder (OUD).

In FY 2019, the President's Budget includes a request for $40 million within CDC to eliminate new infections, and where relevant, decrease the prevalence of HIV, hepatitis B virus, hepatitis C virus, STIs such as syphilis, and tuberculosis in select states and jurisdictions at high risk for these diseases, including those with high rates of opioid-related transmission.

Baldwin Q4: On February 23, 2018, HHS issued a delayed Funding Opportunity Announcement (FOA) for the Title X Family Planning Program. I am concerned that the language in this announcement indicates a shift from evidence-based, comprehensive family planning services toward abstinence-only-until-marriage education. ***Why was this FOA delayed, and what organizations does HHS plan to prioritize in awarding Title X grants, given these shifting priorities?***

Response: HHS recognizes the FOA was delayed, but the current funding announcement streamlines the application process. This improvement makes it easier and more efficient for a wide variety of organizations to submit quality applications, enabling more women and men to receive excellent care through the Title X program. This funding announcement is now closed. Applicants have submitted their proposals and each will be subject to the same, objective assessment process. In addition, this FOA is currently the subject of litigation. As a result of both the ongoing litigation and the ongoing grant review process, HHS cannot comment at this time on future plans regarding the grant process or future awards.

[7] https://www.nih.gov/research-training/medical-research-initiatives/heal-initiative

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Baldwin Q5: Last year before the HELP Committee, the National Academy of Sciences said that pharmaceutical companies could easily absorb revenue losses from lower prices by reducing buyback programs and executive compensation, instead of reducing R&D, which is often threatened. ***If drug prices fell, do you think it would be right for drug companies to cut more from R&D than from buybacks and executive compensation? What do you think the majority of executives would choose?***

Response: HHS recognizes that the current drug ecosystem requires dramatic change. The Administration understands that the drug pricing problem is complex and has multiple parts: high list prices, overpaying in government programs, high out-of-pocket costs, foreign governments' underpaying for drugs. They are connected in a way that attempting to squeeze one end of the balloon won't lead to lasting change and requires a broad-based, systematic approach to the problem.

Recognizing these challenges, in May, the Administration released the "American Patients First" Blueprint, which will bring immediate relief to American patients while also delivering long-term reforms. There are four strategies for reform set out in the administration's drug-pricing blueprint: improved competition, lowering out-of-pocket costs, enhanced negotiation, and incentives for lower list prices.

Baldwin Q6: Pharmaceutical executives receive an inordinate amount of their compensation in the form of stock-based pay. Over the last ten years, the top pharmaceutical companies spent an average of *ninety-nine percent* of their profits buying back their own stock and issuing dividends. Pharma's financialized business model draws heavily on taxpayer-funded investment in research. Yet drug company profits overwhelming benefit executives and wealthy shareholders. ***How will you ensure that American drug companies serve the taxpayers who have subsidized them and the public interest instead of just their shareholders?***

Response: HHS is committed to getting more value for the prescription drugs that patients and taxpayers purchase. The Trump Administration has already taken a number of significant administrative steps. It proposed in the President's FY 2019 Budget, to improve competition and end the gaming of regulatory processes, support better negotiation of drug discounts through government insurance programs, create incentives for pharmaceutical companies to lower list prices, and reduce consumer out-of-pocket spending at the pharmacy and other care settings. For example, FDA approved or tentatively approved over 1,000 generic drugs in 2017, which is the greatest number of FDA generic approvals in a calendar year by over 200 drugs. These generic approvals saved American consumers and taxpayers nearly $9 billion in 2017.

In May, the Administration released the "American Patients First" Blueprint, which will bring immediate relief to American patients, while also delivering long-term reforms. The Blueprint proposes new strategies and takes bold actions to improve competition and end the gaming of regulatory processes, supports better negotiation of drug discounts through government insurance programs, creates incentives for pharmaceutical companies to lower list prices, and reduces consumer out-of-pocket spending at the pharmacy and other care settings.

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Baldwin Q7: In February 2018, the Administration released "Reforming Biopharmaceutical Pricing at Home and Abroad." That report makes the baffling claim that American drugs prices are too high because drug companies' global financial returns are "unfairly low" [because foreign governments set lower drug prices]. In response, the report recommends that the U.S. force foreign governments to raise their drug prices, to make financial returns to U.S. pharmaceuticals 'fair.' It is very clear to me what U.S. drug companies would do with additional profits—they would give them to their shareholders. The 18 pharmaceutical companies in the S&P500 spent an average of ninety-nine percent of their profits on buybacks and dividends over the last ten years. ***Why does the Administration think that if drug companies got additional cash they would do anything other than reward their shareholders?***

Response: HHS is committed to getting more value for the prescription drugs patients and taxpayers purchase. In May, the Administration released the "American Patients First" Blueprint, which will bring immediate relief to American patients, while also delivering long-term reforms. The many interacting drivers in the current pharmaceutical market, including growth in international price controls, have created an environment of high list prices and increased consumer out-of-pocket spending. The blueprint identifies four key strategies to realign the system: improved competition, better negotiation, incentives for lower list prices, and lowering out-of-pocket costs. Short and long term actions the Administration is taking on all of these fronts will bring relief to American consumers and taxpayers. .

Baldwin Q8: WHO is currently pushing countries to implement its 2016 guidance related to the promotion of foods for infants and young children. The guidance would restrict communication about and promotion of milk products for children up to age three. This contradicts international and US dietary guidelines that recognize dairy products as an excellent source of nutrition for toddlers. ***How is the United States working at the WHO to promote good nutrition of and role of dairy in nutritious diets, in keeping with U.S. nutrition guidelines?***

Response: The Administration agrees that more balanced approaches are needed to address nutrition issues, including improving nutrition among infants and children. At the 71st World Health Assembly (WHA) this May, the U.S. delegation successfully advanced this view in negotiating a resolution on infant and young child feeding. The U.S. delegation emphasized developing, implementing and evaluating evidence-based recommendations; WHO technical support to Member States upon request; and the importance of taking into account national context in determining which voluntary approaches, policies, or mandatory approaches to apply. In addition, the U.S. delegation successfully negotiated out of the resolution any direct references to the 2016 WHO guidance.

In 2016, the 69th World Health Assembly (WHA) adopted a resolution welcoming the World Health Organization (WHO) Guidance on Ending the Inappropriate Promotion of Foods for Infants and Young Children. In the U.S. statement on the resolution - and in subsequent interactions with WHO, with other Member States, and with other stakeholders - the United States government emphasized improving nutrition among mothers, infants and young children as an important public health priority; that children over six months of age need nutrient-rich

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complementary foods from a variety of sources; and the importance of this time period for child health and development.

The WHO guidance does not seek to prohibit the marketing of all milk products consumed by young children, limit product availability, or discourage the general inclusion of age-appropriate dairy products such as milk, cheese and yogurt in the diets of young children. WHO intends the guidance to complement, not replace, domestic and global recommendations for feeding infants and young children, including current recommendations on feeding breastfed and non-breastfed infants and young children. The document does recommend that countries prohibit the promotion of breast-milk substitutes marketed for feeding children up to three years of age. The voluntary guidance is a technical document and is not binding on Member States or on other actors. U.S. departments and agencies regularly interact with WHO, other Member States, and stakeholders to urge the development of evidence-based guidelines, tools and recommendations, applied according to national or local context, in order to improve nutrition. HHS continues to lead processes, in coordination and collaboration with the U.S. interagency, to solicit and provide evidence-based feedback to WHO on its nutrition work, and to convey the importance of providing countries with clear, evidence-based recommendations.

Baldwin Q9: Vaccines are among the most cost-effective clinical preventive services, however, outbreaks of diseases that were once nearly insurmountable in the U.S. are again threatening children's health due to inadequate vaccination rates. One measles outbreak in Minnesota last year exceeded the total number of cases in the entire U.S. for 2016. The CDC's Immunizations Program is critical to help improve our ability to prevent and respond to outbreaks of vaccine preventable diseases. ***The president's FY19 budget proposes to cut funding for CDC's Immunizations Program by approximately $98 million. How will the Administration ensure that adults and children are receiving the necessary vaccinations to protect them from outbreaks of measles and other vaccine-preventable diseases?***

Response: At this funding level, CDC will continue to provide assistance to the 64 immunization awardees for state infrastructure awards and vaccine direct assistance. CDC will continue providing technical assistance and laboratory support to states and local communities responding to vaccine-preventable disease investigations, including outbreaks.

Questions from Senator Murphy (CN)

I know that you have made delivery system reform a priority since coming back to HHS. You have laid out several times four broad shifts in policy that you think will accelerate the move toward a system that rewards value.

Among those, you have said that the federal government needs to use Medicare to drive innovation faster as we move from volume to value-based reimbursements. A natural way to do this would be to use the Center for Medicare and Medicaid Innovation (CMMI), which is tasked with the development and testing of innovative health care payment and service delivery models. Just last week, President Trump announced a rescission package that included an $800 million cut to the Innovation Center. This is despite the fact that the Congressional Budget Office has

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said that on average, the Innovation Center produces an almost four to one return in reduced federal Medicare costs over a 10-year period.

Murphy Q1: ***Do you support this proposed cut to CMMI?***

Response: Given the long-term fiscal constraints facing our Nation, the President is committed to using all available tools to put our fiscal house back in order. As the first of several proposed rescissions packages, this Administration is fully committed to protecting taxpayers, and urges Congress to do the same.

For CMMI, the rescission of $800 million is in excess of the funds needed by the Innovation Center in FYs 2018 and 2019. In FY 2020, CMMI will receive a new mandatory appropriation of $10 billion.

Murphy Q1A: Will this proposal hinder your ability to drive delivery system reform? Is there a statutory reason why this funding cannot be rolled over into the future?

Response: No, it will not. Under the Affordable Care Act, Congress appropriated $10 billion for fiscal years 2011 through 2019 for activities initiated under the Innovation Center's statutory authority, including for the Innovation Center to test new payment and service delivery models. The law appropriates an additional $10 billion for each subsequent decade.

The Innovation Center was created to test innovative payment and service delivery models to reduce program expenditures under Medicare, Medicaid, and CHIP while preserving or enhancing quality of care.

The initial years were focused on establishing and operationalizing the Innovation Center. With a few exceptions, most of the models the Innovation Center has tested or is currently testing launched after 2015.

For CMMI, the rescission of $800 million is in excess of the funds needed by the Innovation Center in FYs 2018 and 2019.

Murphy Q2: As you may know, around two-thirds of veteran suicides involve a firearm. The Veteran's Administration (VA) has funded research studies to determine the factors associated with Veteran suicide, including access to lethal means. VA researchers have looked at interventions to delay or reduce access to guns for individuals at risk of suicide. This research has led the VA to design and implement programs that effectively mitigate suicide risk in this population that include lethal means reduction. In the general population, more than half of suicides involve a firearm. ***Does the current funding landscape allow for research on lethal means reduction in high-risk groups and/or the general population?***

Response: CDC works to prevent injuries and violence through a host of programs spanning surveillance, development and evaluation of recommendations, and implementation of effective strategies. CDC currently conducts and funds research on a variety of related topics, including youth violence, child maltreatment, domestic violence and sexual violence. These are the topical

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line items that are supported through CDC's annual appropriation for both research and non-research activities.

CDC has, and continues, to support data collection (public health surveillance) activities to document the public health burden of suicide and firearm injuries and death in the U.S. Understanding the patterns, characteristics, and impact of firearm violence is an important step toward preventing firearm injuries and deaths in the United States.

In addition, NIH is committed to understanding effective public health interventions to prevent suicide. Studies of lethal means restriction (i.e., limiting access to lethal methods used for suicide), including but not limited to access to firearms, are an important part of these efforts. More generally, NIH-supported research on the causes and prevention of firearm violence addresses a range of topics, such as understanding environmental and sociocultural risks for firearm violence; means restriction for people who are at-risk for suicide; and pediatrician counseling for parents on safety practices, including safe firearm storage.

Suicide is the 10th leading cause of death in the United States, and in 2016, firearms accounted for more than half of all suicide deaths.[8] To address this public health concern, the National Institute of Mental Health (NIMH) supports a diverse portfolio of suicide prevention research, including efforts to investigate means restriction for individuals who are at high risk for suicide. For example, one study examined emergency department means restriction counseling discharge practices for at-risk patients.[9,10] This study incorporated input from hospital decision makers, leaders of law enforcement organizations, gun retailers, and shooting ranges.[11,12,13] This project identified practical and temporary safe storage options for families with a member who is at high risk for suicide, laying the groundwork for the development of community-based firearm safety efforts.[14] Currently, NIMH funds research that aims to develop and test a patient-centered, web-based firearm lethal means decision aid to augment clinician-delivered counseling by enabling at-risk individuals and their families to determine how best to reduce home firearm access (e.g., through locking devices or temporary out-of-home storage). This approach offers the potential to significantly enhance current care, reduce access to lethal means of suicide, and ultimately reduce suicides by firearm.[15] Another NIMH-funded study is focused on preventing suicide in children and adolescents by enhancing the implementation of Safety Check, an evidence-based firearm means restriction intervention, in pediatric primary care across 13 healthcare systems. Successful implementation strategies from this study may inform large-scale interventions to prevent suicides by firearm.[16] In addition, NIMH supports a data linkage study to identify precursors of firearms injury and suicide among veterans, with the aim of reducing fatal and nonfatal traumatic injuries among veterans.[17] Suicide prevention research is a high priority for

[8] https://webappa.cdc.gov/sasweb/ncipc/leadcause.html
[9] https://projectreporter.nih.gov/project_info_description.cfm?aid=8976244&icde=22718749
[10] https://www.ncbi.nlm.nih.gov/pubmed/29248278
[11] https://www.ncbi.nlm.nih.gov/pubmed/29704978
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[17] https://projectreporter.nih.gov/project_info_description.cfm?aid=9321294&icde=38281695

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NIMH, and near-term investments in suicide reduction strategies have great potential for long-term impact.

Questions from Sen. Joe Manchin (WV)

Jessie's Law

In 2016, we lost a young woman with great potential named Jessica Grubb. Jessie was a great student, a loving daughter and sister, and an avid runner. She was also recovering from an opioid addiction.

When she had surgery for an infection related to a running injury, both Jessie and her parents told her doctors and hospital personnel that she was a recovering addict and not to be prescribed opioids. Unfortunately, Jessie's discharging physician did not know that she was a recovering addict and sent her home with a prescription for 50 oxycodone pills. That night, she overdosed and passed away in her sleep.

That is why I introduced Jessie's Law to require HHS to establish standards for hospitals and medical professionals for prominently displaying substance use disorder history – just like any deadly allergy – in a person's medical record when that information is provided by the patient.

This language was included in the FY18 Omnibus.

Manchin Q1: ***Secretary Azar, will you commit to me that your agency will immediately begin working on these standards and disseminate them as quickly as possible to medical professionals all over the country? This is just a commonsense step that will ensure that hospitals and medical professionals have access to the information that they need to provide medically appropriate care and keep us from losing more people like we lost Jessie Grubb.***

Response: Yes, efforts are actively underway to ensure that substance use disorder data are more readily available to healthcare providers and practitioners. The Department is examining ways in which to better align 42 CFR Part 2 with HIPAA, in order to ensure that the sharing of information on SUDs is more comparable to other chronic diseases.

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Subject:	FW: Lone QFR from Ed & Workforce
Date:	2018/11/14 11:41:25
Priority:	Normal
Type:	Note

Maggie Wynne

Deliberative and pre-decisional communication

From: Armstrong, Rebekah (HHS/ASL)
Sent: Thursday, November 8, 2018 5:19 PM
To: Wynne, Maggie (HHS/IOS) <Margaret.Wynne@hhs.gov>
Subject: Lone QFR from Ed & Workforce

Hi Maggie,

We are working on finishing up all the QFRs for the June 6 Education and Workforce hearing. Unfortunately we have (b)(5) (b)(5)
(b)(5)
(b)(5) hank you!

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Sent Date:	2018/11/14 11:38:34
Delivered Date:	2018/11/14 11:41:25
Message Flags:	Unread Unsent

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From:	Pence, Laura (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1027E80D2334093870FDB436C5576CD-PENCE, LAUR>
To:	Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>; Huber, Valerie (HHS/OGA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=382ed2bf51144d19bbff4c0ee2b0367d-Huber, Vale>
Subject:	FW: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18
Date:	2019/02/06 16:10:23
Priority:	Normal
Type:	Note

Hi Paula and Valerie, please see the (b)(5)
(b)(5) (b)(5)

From: Kinney, John (HHS/ASL)
Sent: Wednesday, February 06, 2019 2:29 PM
To: Pence, Laura (HHS/IOS)
Cc: Morse, Sara (HHS/ASL)
Subject: FW: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18

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From: Pence, Laura (HHS/IOS) <Laura.Pence@hhs.gov>
Sent: Friday, December 21, 2018 9:57 AM
To: Kinney, John (HHS/ASL) <John.Kinney@hhs.gov>; Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>
Subject: RE: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18

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AMERICAN OVERSIGHT

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From: Kinney, John (HHS/ASL)
Sent: Thursday, December 20, 2018 7:00 PM
To: Pence, Laura (HHS/IOS); Morse, Sara (HHS/ASL)
Cc: Arbes, Sarah (HHS/ASL)
Subject: RE: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18

Paula's email transmitting her reply might be helpful too.
<< Message: FW: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18 >>

From: Kinney, John (HHS/ASL)
Sent: Thursday, December 20, 2018 6:52 PM
To: Pence, Laura (HHS/IOS) <Laura.Pence@hhs.gov>; Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>
Subject: RE: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18

Laura and Sara

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From: Pence, Laura (HHS/IOS) <Laura.Pence@hhs.gov>
Sent: Thursday, December 20, 2018 10:20 AM
To: Kinney, John (HHS/ASL) <John.Kinney@hhs.gov>
Cc: Arbes, Sarah (HHS/ASL) <Sarah.Arbes@hhs.gov>; Morse, Sara (HHS/ASL)

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<Sara.Morse@hhs.gov>
Subject: FW: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18

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From: Stannard, Paula (HHS/IOS)
Sent: Thursday, December 20, 2018 2:35 AM
To: Pence, Laura (HHS/IOS)
Subject: RE: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18

Laura –

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Paula << File: DJM-239 HHS Secretary QFRs from 06.06.18 HEWF Hearing - Passback 12.18.18 ps.docx >>

Sender:	Pence, Laura (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1027E80D2334093870FDB436C5576CD-PENCE, LAUR>
Recipient:	Stannard, Paula (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0892a057f83497e9390288c813b61d9-Stannard, P>; Huber, Valerie (HHS/OGA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=382ed2bf51144d19bbff4c0ee2b0367d-Huber, Vale>
Sent Date:	2019/02/06 16:10:21
Delivered Date:	2019/02/06 16:10:23

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AMERICAN OVERSIGHT

From:	Stannard, Paula (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F0892A057F83497E9390288C813B61D9-STANNARD, P>
To:	Jones, Mary (HHS/OGC) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8e909f67a00443a284637f68430162d1-Jones, Mary>
Subject:	Fwd: Comprehensive Summary of FY 2019 LHHS Final Appropriation Bill
Date:	2018/10/03 11:48:06
Priority:	Normal
Type:	Note

Mary —

Could you print for me? Thanks.

Paula

Begin Forwarded Message:

From: "Moughalian, Jen (HHS/ASFR)" <Jen.Moughalian@hhs.gov>
Subject: Comprehensive Summary of FY 2019 LHHS Final Appropriation Bill
Date: 03 October 2018 11:27
To: "Urbanowicz, Peter (HHS/IOS)" <Peter.Urbanowicz@hhs.gov>, "Harrison, Brian (HHS/IOS)" <Brian.Harrison@hhs.gov>, "Brady, Will (HHS/IOS)" <William.Brady@hhs.gov>, "Keckler, Charles (HHS/IOS)" <Charles.Keckler@hhs.gov>, "Caliguiri, Laura (HHS/IOS)" <Laura.Caliguiri@hhs.gov>, "Parker, Jim (HHS/IOS)" <Jim.Parker@hhs.gov>, "Best, Daniel (HHS/IOS)" <Daniel.Best@hhs.gov>, "O'Brien, John (HHS/IOS)" <John.Obrien@hhs.gov>, "Giroir, Brett (HHS/OASH)" <Brett.Giroir@hhs.gov>, "Lapinski, Mary-Sumpter (HHS/IOS)" <Mary-sumpter.Lapinski@hhs.gov>, "Wynne, Maggie (HHS/IOS)" <Margaret.Wynne@hhs.gov>, "Nelson, Beth (HHS/IOS)" <Beth.Nelson@hhs.gov>, "Bassett, Matthew (HHS/ASL)" <Matthew.Bassett@hhs.gov>, "Arbes, Sarah (HHS/ASL)" <Sarah.Arbes@hhs.gov>, "Charrow, Robert (HHS/OGC)" <Robert.Charrow@hhs.gov>, "Kalavritinos, Jack (OS/IEA)" <John.Kalavritinos@hhs.gov>, "Agnew, Ann (HHS/IOS)" <Ann.Agnew@hhs.gov>, "Stannard, Paula (HHS/IOS)" <Paula.Stannard@hhs.gov>, "Rowell, Scott (OS/ASA)" <Scott.Rowell@hhs.gov>, "Bird, Catherine (OS/OGC)" <Catherine.Bird@hhs.gov>, "Stecker, Judy (OS/ASPA)" <Judy.Stecker@hhs.gov>, "Murphy, Ryan (OS/ASPA)" <Ryan.Murphy1@hhs.gov>
Cc: "Waskiewicz, Stephen (OS/ASFR)" <Stephen.Waskiewicz@hhs.gov>, "Cochran, Norris (HHS/ASFR)" <norris.cochran@hhs.gov>, "Cash, Lester (HHS/ASFR)" <Lester.Cash@HHS.GOV>, "O'Keefe, Erin (HHS\ASFR)" <erin.okeefe@hhs.gov>, "Dareshori, Zack (HHS/IOS)"

AMERICAN OVERSIGHT

<Zachary.Dareshori@hhs.gov>

Team –

Attached is a summary of the FY 2019 Labor-HHS Appropriation bill, with information on both funding levels and requirements. It is organized by Operating Division with hyperlinks to relevant sections so you can easily navigate to areas of interest. As you know, IHS, FDA and a few other areas of HHS are under a continuing resolution until December 7 and we will continue to keep you updated.

Kudos to Steve, Norris and all of the ASFR team for their support of the entire FY 2019 Appropriation process. Reach out with any questions. Thanks

Sender:	Stannard, Paula (HHS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F0892A057F83497E9390288C813B61D9-STANNARD, P>
Recipient:	Jones, Mary (HHS/OGC) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8e909f67a00443a284637f68430162d1-Jones, Mary>
Sent Date:	2018/10/03 11:48:04
Delivered Date:	2018/10/03 11:48:06

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